

NATIONAL FEDERATION OF INFORMATION COMMISSIONS IN INDIA
Minutes of 27th Board of Governors Meeting held on February 3rd, 2023
at Kevadia Gujarat

Participants:

Board of Governors:

- Shri Y.K. Sinha, President, NFICI & Chief Information Commissioner, CIC New Delhi
- Shri Anil Chandra Punetha, Chief Information Commissioner, SIC Uttarakhand
- Shri Jalada Kumar Tripathy, Chief Information Commissioner, SIC Odisha
- Shri Oinam Sunil Singh, Chief Information Commissioner, SIC Manipur
- Dr. Samudra Gupta Kasyhap, Information Commissioner, SIC Assam
- Shri TripurariSharan, Information Commissioner, SIC Bihar
- Shri Sunil Porwal, Information Commissioner, SIC Maharashtra
- Shri M. Sreedhar, Information Commissioner, SIC Tamil Nadu
- Shri P. Dhanasekaran, Information Commissioner, SIC Tamil Nadu

NFICI's officers:

- Shri Sidh Kumar, Honorary Secretary, NFICI, New Delhi
- Shri Sarvottam Kumar, Executive Secretary, NFICI, New Delhi.

At the outset Shri Y.K. Sinha, President welcomed all the BOG members who were attending the meeting. The meeting started with the following agenda points:

1. **Confirmation of Minutes of last Meeting:** The 26th Board of Governors meeting was held on 16.11.2022 at Goa. Minutes of the meeting were confirmed by the members of the Board of Governors of NFICI.
2. **Election of Vice- President of NFICI from present BOG:** Shri Anil Chandra Punetha, Hon'ble Chief Information Commissioner, State Information Commission Uttarakhand was unanimously elected as Vice-President of NFICI by existing members of Board of Governors vice Shri R. Rajagopal, Chief Information Commissioner, SIC Tamil Nadu who demitted office on 20.11.2022.
3. **Status of NFICI case for Tax Exemption under Section 12AA & 80G of IT Act:** The President, Shri Sinha requested the Executive Secretary to apprise the BOG regarding the status of the case. Shri Rana informed the BOG members of NFICI that the case for Tax Exemptions under Section 12AA & 80G of Income Tax Act is pending with Commissioner of Income Tax (Exemptions) at Hyderabad. NFICI had filed Form 10A & 10G seeking registration under section 12AA & 80G of the Income Tax Act, 1961 before the Commissioner Income Tax (Exemption), Hyderabad on 30.11.2015. The application to consider NFICI under Section 80G of the IT Act had been rejected by the Commissioner of Income Tax (Exemptions) on 31.05.2016. Subsequently NFICI had filed an appeal before the Income Tax Appellate Tribunal, Hyderabad against the order dated 31.05.2016 of the Commissioner of Income Tax (Exemptions). The Hon'ble ITAT vide order dated 29-03-2021 has remanded the matter to CIT (Exemptions) for fresh consideration. We have received a notice from the CIT (Exemption) and the same has been forwarded to our Advocate with the direction to pursue our case with CIT (Exemptions) to exempt NFICI from Income Tax.

Our Auditor M/s Batra Deepak and Associates has uploaded the required documents on the portal of Income Tax in response to the notice of the Commissioner of Income Tax (Exemptions) but till date we have not received any communication or notice from the Commissioner of Income Tax (Exemptions). Thereafter, nothing is heard from

the concerned department. In this regard, a reminder to the Commissioner of Income Tax (Exemptions) has been sent. We are still awaiting a communication from the concerned IT department. The Auditor also recommended that the case be transferred to Delhi as its progress could be monitored more effectively. Members of the BOG unanimously agreed to get the case transfer to Delhi, if possible.

- 4. Status of NFICI's Current Account and FDs:** The members of the Federation were apprised of the status of NFICI's account being maintained in State Bank of India, Bhikaji Cama Place, New Delhi. A detailed statement was read out showing a balance of Rs. 12,55,044/-, in the current account as on 27.01.2023.

The details of Fixed Deposits (FDs) were presented before the members which provided details regarding the 14 Fixed Deposits amounting to Rs. 1,74,66,250/- as on 20.01.2023.

The members were also apprised that one Fixed Deposit for Rs. 13,98,830/- has been withdrawn permanently to release Rs. 8.00 lakhs as an advance to Gujarat State Information Commission for organizing the 27th BOG and 11th AGB Meetings at Gujarat.

- 5. Participation of State Information Commissioners in addition to CICs in NFICI's meetings:** In the last BOG meeting held on 16-17th Nov, 2022 at Goa the members of the BOG deliberated on the participation of Information Commissioners in addition to Chief Information Commissioners in NFICI meetings. The Chief Information Commissioners normally represent their respective Commissions at meetings of NFICI.

In this regard it was felt that if the Chief Information Commissioner is unable to attend the meeting, he/she can nominate one Information Commissioner from his/her Commission to attend the meeting on behalf of the concerned Commission. In case the post of Chief Information Commissioner in any State Information Commission is vacant,

then the Information Commissioners can decide on one Information Commissioner to represent that Information Commission in the NFICI meeting.

However, this matter was kept pending for further discussion.

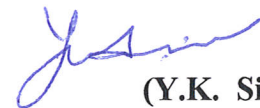
6. Agenda received from State Information Commission Uttarakhand:

State Information Commission Uttarakhand has forwarded the following agenda points for discussion by the members of the Federation:-

- 1) RTI application fee should be increased to Rs. 100, with the provision that the information amounting to 20 pages will be provided free of cost to the applicant.
- 2) There should be some fee for filing of second appeals and complaints.
- 3) Time limit for filing complaint u/s 18 of the RTI Act, 2005 should be introduced.
- 4) A uniform policy should be made to recover the amounts imposed as penalty on the PIOs by the SICs.

The points were discussed and it was decided to further deliberate on these points in the 11th Annual General Body meeting.

The meeting concluded with a vote of thanks.



(Y.K. Sinha)

President, NFICI