

PROCEEDINGS OF THE MEETING BETWEEN RTI ACTIVISTS AND KARNATAKA INFORMATION COMMISSION ON 25-4-2008 AT 12.00 NOON AT COURT HALL NO. 2 OF THE COMMISSION

Present (Sri /Smt.)

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| 1. K. K. Misra, State Chief Information Commissioner. | 11. S. R. Venkataram, President, SUPRAJAA. |
| 2. K. A. Thippeswamy, State Information Commissioner. | 12. J. S. D. Pani, President, Mahithi Hakku Jagruti Vedike. |
| 3. B. A. Nagesh, Secretary. | 13. S. Madhan Gopal, Secretary, Swabhiman Trust, KRIA KATTE. |
| 4. K. Venkataramana Hebbar, Section Officer. | 14. C. M. Subbaiah, Kalyananagara Residents' Welfare Association and Member, KRIA KATTE. |
| 5. Srinivas, P. S. to Secretary. | 15. H. L. Narayan, Sampooja Byatha Trust, Byatha. |
| 6. Sangeetha, NIC. | 16. G. Gajendra, KRIA KATTE. |
| 7. M. V. K. Anil Kumar, Convenor, KRIA KATTE. | 17. Kathyayini Chamaraj, Ex-Trustee, CIVIC, Bangalore. |
| 8. Y. V. Ashwathanarayana, Consumer Care Society. | 18. Sheila Premkumar, Public Affairs Centre, Bangalore. |
| 9. Ravindranath Guru, Consumer Care Society. | |
| 10. N. Anbarasan. | |

Subject no. 1: Cause list:

It was suggested that the cause list-displayed on the notice board should contain the names of the parties along with the case number, date of hearing and the court number also. Further, the cases posted in the afternoon should also be included. Smt. Sangeetha, NIC representative said that several new features would be included facilitating search, etc. Further, date-wise and court-wise cause list would also be made available on the website. (Action: Sri S. R. Sayinath Prakash, Under Secretary, Smt. Sangeetha, NIC)

Subject no. 2: Hearings:

Record of the decisions / discussions is as follows:

- (i) Wherever name of the PIO is mentioned by the Complainant / Appellant, the summons should be issued by name to the PIO.
- (ii) Commission should write to the Government that every office must put a board indicating the names of the PIOs, their designations, contact numbers, etc., on their notice boards and it should be updated every time there is a transfer of the incumbents. It was agreed that the Commission shall also install a board indicating the names of the PIO and the first appellate authority.
- (iii) To enable the Complainant / Appellant to identify the complaint which has been posted for hearing, the date of appeal / complaint and the General Receipt Number should be mentioned in the summons / interim order.
- (iv) In case a person is handing over a complaint / appeal in person and wants the General Receipt Number (GRR no.) to be provided, the data entry operator would register the complaint / appeal on priority, enter it into the GRR and enter the GRR no. on the counterfoil of appeal / complaint along with the stamp of the Commission.

- (v) In the alternative, a rubber stamp which generates running serial numbers could also be used to indicate the GRR number allotted to the complaint / appeal. In such an event, the GRR number given by the rubber stamp has to be incorporated in the summons / preliminary order to be issued.
- (vi) In the summons issued by the Commission, the fact that the PIO is liable for imposition of penalty is mentioned. Whenever the Commission is convinced that the information does not fall in exempted category, interim orders are issued directing the Respondent to show cause why penalty should not be levied on him.
- (vii) To proceed ex-parte, an acknowledgement for Respondent having received the summons / interim order is necessary. It was therefore agreed that the summons / interim orders should be sent to the Respondent by name as far as possible and even if the correspondence is sent by speed post, the acknowledgement form option should be availed.
- (viii) Commission explained that most of the orders are dictated in the open court. In case Appellant / Complainant wants that any arguments or objection should be recorded, he could make a request while the order is being dictated.
- (Action: Sri B. A. Nagesh, Secretary & Sri S. R. Sayinath Prakash, Under Secretary)

Subject no. 3: Orders:

- a. The Commission would try to ensure that the orders are despatched within 15 days of the hearing. The Under Secretary, who is responsible for despatch, shall remind the concerned Commissioners that the orders of such and such date have not been despatched and the concerned Commissioner shall then ensure that the backlog is cleared.
- (Action: Sri B. A. Nagesh, Secretary & Sri S. R. Sayinath Prakash, Under Secretary)
- b. The suggestion that all orders of the Commission should be posted on the website was accepted.

(Action: Smt. Sangeetha, NIC)

Subject no. 4: Penalties:

Commission heard the views of the Activists and pointed out that the penalty under section 20(1) is not automatic and has to be imposed only if the PIO has defaulted without reasonable cause or has acted malafide etc. Commission therefore has the authority to decide the quantum and whether levy of penalty is justified in a case.

Subject no. 5: Suo-moto disclosure:

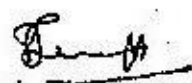
Commission noted that the suo-motu is not available on its website. It was agreed that the available version would be got updated and posted on its website.

(Action: Sri B. A. Nagesh, Secretary)



(K. K. Misra)

State Chief Information Commissioner



(K. A. Thippeswamy)

State Information Commissioner

TO: All Concerned.