

**Proceedings of the meeting of the Commission, held  
on 07-02-2013 at 3.30 P.M. in the Chamber of the SCIC**

Present:

1. Sri A.K.M Nayak, State Chief Information Commissioner
2. Sri. J.S. Virupakshaiah, State Information Commissioner
3. Sri. D. Thangaraj, State Information Commissioner
4. Sri. M.R Pujar, State Information Commissioner
5. Sri. T. Ram Naik, State Information Commissioner
6. Dr. Shekhar D Sajjanar, State Information Commissioner

Officers Present:

1. Sri. Sangappa, Secretary, Karnataka Information Commission
  2. Sri. Lakshmisha, Technical Director & Scientist "E", NIC
  3. Smt. Sangeetha, Sr. Systems Analyst & Scientist "C", NIC
  4. Under Secretary I/c., Karnataka Information Commission
  5. Accounts Superintendent, Karnataka Information Commission
  6. Programmer, Karnataka Information Commission
  7. PIO, Karnataka Information Commission
  8. PS to Secretary
  9. ASO, Karnataka Information Commission
1. **Regarding (a) progress of updating of year wise and Court Hall wise pending cases (b) incorporating penalties in the 'decision page' of website, (c) inclusion of number of the IPO and Court Hall while sending SMSs to petitioners who have filed multiple applications and (d) feedback on timely uploading of orders by staff of Court Halls:**
- (i) State Chief Information Commissioner asked the representatives of the NIC about the progress made in the above three matters.
  - (ii) The representatives of NIC explained that those files which were in possession of the Court Hall staff were physically verified by the Court Hall staff and the lists were handed over to the programmer. After completion of physical verification of the remaining files, by all concerned, Court Hall-wise final lists would be submitted to the Secretary by 11-02-2013.
  - (iii) Smt. Sangeetha, the Sr. Systems Analyst & Scientist "C" of NIC, suggested that the list of penalties, forwarded to the NIC, needs to be verified and vetted physically, as a random check by her showed discrepancies. She assured that once the list is corrected and returned by the Commission after verification, action would be initiated for incorporating penalties in the 'decision page' of website.

- (iv) Sri Lakshmeesha, the Technical Director & Scientist "E" of NIC requested for some more time for incorporating the IPO number and Court Hall while sending SMSs to petitioners, as alpha numerical module needed was being worked out and assured that it would be incorporated very soon. He told the Commission that simple dash board module would be developed and will be put in use at once and thereafter only the proposal to incorporate the number of the IPO and Court Halls would be possible.
- (v) The Commission directed Sri. Srinivas, ASO, KIC to co-ordinate with all concerned and instructed the Secretary to monitor uploading of the orders of the Commission from time to time. The Secretary should provide separate office space, office equipment, a data entry operator to the ASO now that he is no longer the P.S. to Secretary.

2. **Showing of incorrect designations of the officers and names of the departments in the addresses incorporated in the notices and summons:**

Sri M.R. Pujar and Sri T. Rama Naik, the State Information Commissioners, stated by giving illustrations, that designations of the officers and names of the departments, in the notices and summons issued have been incorrectly shown and as a result of which the summons and notices are not served or improperly served or returned. They have suggested for adopting a proper method for incorporating the designations of the officers and name of the departments correctly.

(i) The Secretary suggested for adopting the method used by the Election Commission for keying Electoral Roles as it automatically translates the data. The NIC representative submitted that instead of adopting the method of the Election Commission, the NIC would prepare an exhaustive Master-list of all the departments and sub-departments and would train the concerned DEOs how to use the related keys for translating the designations of the officers and names of the departments. The SCIC accepted the proposal made by the representative of the NIC and requested him to take necessary steps immediately without any loss of time.



3. **Implementing of File Monitoring System and Letter Monitoring System in KIC on the lines of 'Sachivalaya Vahini':**

The Secretary suggested for having File Monitoring System and Letter Monitoring System in KIC on the lines of 'Sachivalaya Vahini'. But, Smt. Sangeetha informed that a custom based unique module is already in the pipe line of NIC and this could be implemented. The SCIC requested the NIC to demonstrate the same at an early date.

4. **Purchasing of some more computers:**

- i. The Secretary submitted that out of the existing 48 computers, 05 systems are completely out of order and there has been demand from the offices of Court Hall Nos - 3 & 4, in addition to the Judicial branch, PIO and Administrative Sections and purchasing of some more computers is necessary. But the SCIC felt that the configurations often made are becoming obsolete and suggested to assess the requirement of the office properly and judiciously in consultation with E-Governance department before deciding to purchase the computers.
- ii. The Secretary submitted that out of 43 systems, which are in the working condition, 23 systems are under a year and are covered by warranty of E-Governance Department and that remaining 20 systems have to be brought under maintenance contract. The Commission suggested to obtain recognised maintenance contractors through E-Governance Dept. The representatives of NIC also expressed the same view stating that the Commission may obtain help from centre for E-Governance (DPAR, e-Gov) for maintenance contract.

5. **Re-creation and re-developing of website of KIC:**

Representatives of NIC stated that the website of KIC was developed by the Center for Good Governance, Hyderabad on "JAVA" and hosted on NIC server and stressed the need to re-develop the website on "DRUPAL", which is a conventional package. Further it was stated that by deploying the website using this content management system, the web pages could be handled easily and modified at any point of time. They also stated that the development cost would be about Rs. 40,000/-.

The Commission accepted the proposal and suggested NIC to take further necessary action immediately following relevant procedures.

**6. Proposal of NIC for de-linking of the existing links relating to various departments, reflecting implementation of Sections 4(1)(a) & 4(1)(b) by them, from the website of KIC:**

The Commission was informed that most of the departments have not updated the data relating to implementation of Sections 4(1)(a) & 4(1)(b) of RTI Act and the web pages are not being monitored and maintained from time to time as a result of which the information displayed has become obsolete. Sri. JSV opined that maintaining and updating of the information and dissemination of the said information on the websites is the responsibility and obligation of the 'Public Authorities' and further monitoring and propagation of the Act vests with the Government. After the discussing the matter, the Commission approved for de-linking from the KIC website, the existing links relating to various departments showing implementation of Sections 4(1)(a) & 4(1)(b).

**7. Matters pertaining to the PIO of this Commission:**

State Information Commissioner (JSV) advised the PIO of the Commission to be more diligent with regard to furnishing of information sought for by the Citizens from KIC office. He also advised the PIO to transfer such of those applications to the concerned immediately within the prescribed time, if the information sought for does not relate to the Commission. After discussion, the Commission felt that the Under Secretary would be in a better position to discharge the functions of the PIO and therefore directed the Secretary for issue of notification appointing Under Secretary as the PIO and the Secretary as the First Appellate Authority.

**8. Shifting of record room:**

- (i) The Secretary explained the need for arranging all the records in a single room of the Commission office and suggested that Room No – 350 situate in the 3<sup>rd</sup> floor of M.S. Building could be used for this purpose. Sri JSV opined that relocating the record room is an Administrative issue and the Secretary may take such steps as may be necessary.



- (ii) Sri JSV suggested to the Secretary to write to the Principal Secretary, DPAR to request the Deputy Director, DPAR – Executive to handover the small room adjacent to Room No-249 in the 2<sup>nd</sup> floor of M.S. Building which can be used for accommodating the staff of the Commission. He also felt that the SCIC may talk to the Chief Secretary, if necessary, for allotting the room to the KIC.
- (iii) Sri JSV suggested for preservation of all old records of the Commission for a period of two years, instead of the existing five years, except those records where the orders are challenged before the High Court. He also suggested to the Secretary to approach KEONICS for selecting a suitable agency which would handle these old records by listing them in registers and separate the order sheets for preserving them for a longer period.
- (iv) The Commission directed the Secretary to write to the DPAR on its Circular No. DPAR 82 RTI 2007 dated 21-08-2007 seeking clarification regarding the period of preservation before taking any decision.

**9. Out station sittings:**

The Commission decided to make use of video conference facility only whenever the out station cases are less than three or four. However both V.C. facility and out station sittings could be used if there are large number of cases.

**10. Installation of new video conferencing equipment:**

Commission directed the Secretary to pursue with the CEG, (DPAR, e-Gov) and get the new VC equipment installed expeditiously.

**11. Progress in the construction of new Commission Building:**

Commission directed the Secretary to write to the Chief Engineer, PWD to report to the Commission every month, about the progress in the construction of the Building of the Commission. The Commission also directed the Secretary to fix a meeting with the Secretary and Chief Engineer, PWD, on 11-02-2013 at 4.00 PM.

**12. Discrepancies in the Employees Provident Fund:**

Sri. JSV, Sri. MRP & Dr. SDS, Commissioners expressed deep anguish about not finding in the website of EPPF Department, Account numbers and the

deductions of EPF subscriptions said to have been made by the service provider to the accounts of employees, whose services have been obtained on outsource basis. The Commission emphasized the need for taking stern action against the service provider if he fails to rectify the differences by opening the accounts wherever accounts are not opened and credit the EPF premiums deducted from their remuneration. The Commission directed the Secretary to call upon the service provider to remit the difference of the EPF amount to the concerned accounts of the employees immediately by warning them that the security deposit would be forfeited and their company would be black listed if they fail to comply.

**13. Seeking of additional grants under supplementary budget for enhancement of salaries to the outsourced employees:**

The Commissioners felt that the outsourced employees in the Commission are being paid very meager remuneration when compared to some of those working in other departments in similar capacity and discharging the same duties. The Commission directed the Secretary to submit a proposal to the Government for additional grants, under supplementary budget in order to enhance the remuneration at least to the level of basic pay, which are now being paid to the regular employees, after pay revision. The Secretary informed the Commission that a proposal has already been submitted to the Government and the decision is awaited.

**14. Order of the Supreme Court in petition for Special Leave for Appeal(C).....CC.1853/2013:**

The Law Officer of the Commission explained that both the Writ Appeal in the High Court and SLP in the Supreme Court were filed by the Commission, and not by any individual Commissioner, on the basis of the authorisations issued by Government and the SLP papers were processed by the Advocate General's Office and filed in the Supreme Court by the Advocate on record of the State Government.

After considering the pros and cons of filing Review Petition including expenditure that will have to be incurred in engaging a Senior Advocate, the uncertainty of the outcome and possibility of the cost being further enhanced,

the Commission directed the Secretary of the Commission to deposit the cost of Rupees One Lakh with SCLSC, within the time limit given by the Court, after obtaining the approval of Government.



State Chief Information Commissioner