

Record of the discussions held on 14th Mar, 2013 in the Chambers of SCICs chamber.

Commissioners and Officers present:

1. SCIC
2. SIC-JSV
3. SIC- DTR
4. SIC- MRP
5. SIC- TRN
6. SIC-SDS
7. Secretary
8. Under Secretary(I/c)
9. Accounts Superintendent
10. Ashok B Gurav, Asst.
11. ASO

1. Extending the services of the Legal Counsel of KIC.

About the performance and need to continue the services of the present Advocate, representing the Commission, the Law Officer expressed his satisfaction and said that he had opined accordingly in the concerned file.

Hence the Commission agreed, in principle, to continue the services of the legal Counsel of KIC.

2. Sanctioning Gratuity and Leave Salary Contribution to the Drivers on deputation from KSRTC & BMTC.

SIC-JSV suggested that since the drivers, serving in the Commission, are on deputation from KSRTC and BMTC, the Commission will have to accept the terms and conditions of their deputation.

The Commission agreed with this view and directed the Secretary to comply accordingly.

3. Regarding contract/re-appointment for the posts sanctioned in KIC as per the Karnataka Civil Services (General Recruitment) Rules 1977.

The Secretary, citing sub-section 3 of Section 5 of RTI rules, 2005 ("Salary and allowances and conditions of service of Officers and employees of the State Information Commission"), sought permission of the Commission to write to the Govt. of Karnataka to sanction re-appointment on contract basis to some of the posts.

The SCIC stated that the posts in the Commission could be filled up either by direct recruitment or on deputation or on outsourced basis. If a Govt. Official retires, while on deputation to the Commission, and the Commission is satisfied with his performance, then his/her re-appointment on contract basis, with the prior approval of Govt., could be considered.

The SIC-DTR suggested to the Secretary to send proposals to DPAR (JS) and the Fin Dept. for changing the mode of filling up the posts in the G.O.s sanctioning them so that the draft Cadre & Recruitment Rules of the Commission could be sent for approval.

4. Equipping the record room with Steel Racks & other infrastructure necessities.

The Secretary explained the dire need to enhance the storage capacity of the Record Room of the Commission by providing more infrastructures, viz., numbered racks, fungus free carton boxes to hold the files, etc. In this connection, the Secretary sought permission to purchase the requirements.

SIC-JSV suggested that purchases could be made through KFIDC or to go in for PAN Office Systems. The Secretary informed that KFIDC does not have the required exemptions under the Transparency in Public Procurement Act.

After discussion, it was decided that the Secretary may purchase the equipment from PAN Office systems after following the purchase procedures.

5. Renewal of the services of Programmer and Jr. Programmer appointed through NIC-Si.

The Secretary, while making the proposal, brought to the notice of the Commission that NIC had temporarily withdrawn the services of the Jr. Programmer with a promise to give a suitable replacement. However, he sought permission of the Commission to renew the services for both the posts.

Since the services of the Programmer and Jr. Programmer, provided by NIC-Si, was essential for keeping the PLO Module running, the Commission agreed to extend their services up to Dec. 2013.

6. Draft Annual Report of 2012-13.

The Secretary presented before the Commission the broad out-lines of the draft Annual Report-2012-13, based on the pattern of the previous years.

SIC-JSV suggested that the 2012-13 report should include exclusive chapters on implementation of Sec.19(1) of the RTI Act and sections 4(1)(a) and 4(1)(b) being implemented by the Public Authorities.

The SCIC said that a chapter on Penalties may be included highlighting the amounts levied and recovered during the current year.

SIC-JSV felt that a comprehensive Physical verification of the recoveries be made with the case files.

The Commission agreed with the suggestion and decided that the ASO should exclusively and fully concentrate on preparing the draft report in consultation with NIC. Till then, he may not be entrusted any other work. At every meeting held, the Commission should be apprised of the progress made in preparation of report, particularly the chapters related to the Commission, for which all data would be available in the Commission itself, at the end of March, 2013

7. Any other subjects with permission of the Chair.

- a. SIC-JSV suggested to the Secretary to prepare a year-wise list of all the Cases pertaining to complainants and appellants who file such cases in large numbers, before the Commission
- b. It was suggested that since some petitioners were filing applications, both under section 18(1) and 19(3) of the Act, efforts be made to tag the two together.
- c. SIC-JSV, citing section 19(3), suggested that all 2nd Appeals being filed beyond 90 days of filing the 1st Appeal may be rejected at the scrutiny level citing: "time-barred" after taking approval of the Commission.
- d. It was decided that, in cases where 2 or more requests for information were filed with a single appeal or complaint, they could be returned at the scrutiny stage itself.
- e. SCIC informed about the sms he had received regarding the NFICIs next meeting at Raipur, Chatisghar and requested the Commissioners to indicate who would represent KIC.

SIC-JSV gave his consent to participate in the NFICIs program scheduled for 6th & 7th April, 2013.

- f. SIC-DTR suggested that on expiry of contract of the present service provider, the remuneration to be given to the out-sourced staff, working in the Commission, be appropriately provided, bearing in mind the new basic pay fixed to the regular staff in the respective posts.

The Commission agreed with the suggestion and asked the Secretary to initiate necessary action after working out the financial implications and seek sanction of the Government.

- g. SIC-JSV informed the Secretary that the land-line telephone instrument of his office needs to be replaced immediately as it is not functioning. SIC-MRP also said that the telephone instrument of his office also needs replacement.

- h. SIC-TRN stressed on the need to subscribe RTI Journals, books, copies and periodicals of various authors on a regular basis.

The Commission instructed the Secretary to initiate speedy action for subscribing at least one different journal per Commissioner.

- i. SICs JSV and MRP expressed dismay about Police Dept, which had designated very junior officers (head constable) as PIOs and Asst. Sub-Inspector of Police FAAs and suggested that the Home Dept., be addressed to revise the notifications.

The SCIC added that a copy of the letter be marked to the D.G.& I.G. of Police requesting him to address the issue expeditiously.

- j. SIC-JSV stressed on the need to adhere strictly to the despatch instructions shown on the Commission orders by the Despatch Section of the Commission and added that specific instructions to despatch by RPAD are not being carried out.

The Secretary proposed to the Commission a Work Flow Chart designed with the assistance of the Law Officer and sought approval for “a Pending Section” in each of the Court Halls along with two exclusive assistants who could be placed in-charge of despatching the orders, as per instructions.

The SCIC suggested that Secretary should verify the existing work load and manpower in the despatch section and ensure that it is optimally

utilised and the despatch instructions are strictly adhered to here afterwards (RPAD, Speed-post and general).

The Commission felt that the Secretary should streamline the functioning of the despatch section in the existing despatch section itself by allotting court hall-wise work to one or more persons and closely monitor their work. In this connection, Commission also desired that Secretary should write to his counterparts of neighbouring states and obtain the sanctioned staffing pattern for the Commission and the individual Commissioners.

- k. SIC-JSV suggested that filling up the vacant post of Under Secretary, KIC would give the Secretary, the much needed assistance to effectively monitor and get work done and advised him to follow-up on a daily basis with DPAR regarding the of posting Sri Raghavendra (KAS), SLAO, KIADB as Under Secretary, KIC.
1. The Secretary placed before the Commission, the request made by Karnataka Evaluation Authority for providing office space in KIC's building under construction. The letter containing the request has been forwarded to the Commission by the Principal Secretary, DPAR (JS). SIC-JSV pointed out that space constraint had disabled the Commission from housing all its required Court Halls and Secretariat and that the concerned authorities had accorded approval for the maximum permissible number of floors in the building which is only 8 Court Halls instead of 10+1.

Hence the Commission advised the Secretary to inform Principal Secretary, DPAR(J.S.) that it is not possible to consider the request.

17/11/17

State Chief Information Commissioner