

**Minutes of the 3rd Meeting of the Executive Committee of
the 'National Federation of Information Commissions of India' (NFICI)**

Date: 28.06.2010, **Venue:** APIC Office, HACA Bhawan, Hyderabad, A.P.

Attended by:

Executive Committee Members of NFICI

1. **Shri Wajahat Habibullah**, Chief Information Commissioner (CIC), Central Information Commission & President, NFICI;
2. **Shri C. D. Arha**, State Chief Information Commissioner (SCIC), Andhra Pradesh & Vice President, NFICI;
3. **Prof. M. M. Ansari**, Information Commissioner (IC), Central Information Commission;
4. **Shri K. K. Mishra**, SCIC, Karnataka;
5. **Dr. S. V. Joshi**, SCIC, Maharashtra.

Special Invitees:

6. **Shri R. I. Singh**, SCIC, Punjab;
7. **Dr. Mohd. Shakeel Ahmad**, IC, Bihar;
8. **Shri Habung Payeng**, IC, Arunachal Pradesh;
9. **Shri K. Tlanthanga**, IC, Mizoram;
10. **Shri Dileep Reddy**, IC, Andhra Pradesh.

Shri C. D. Arha formally welcomed the President, the members of the Executive Committee of NFICI and the Special Invitees for the meeting and requested the President to Chair the meeting.

The agenda items for the said meeting and the deliberations / decisions regarding them are as follows:

The first agenda item was approval of the minutes of the 2nd Meeting of the Executive Committee (Board of Governors) meeting held on **20.02.2010** in New Delhi. **Shri Wajahat Habibullah** invited comments on the minutes as proposed in the note circulated. **Prof. M. M. Ansari** suggested that the details of the work allocation to some of the SCICs and ICs in their respective Committees – as was discussed in great detail in the last meeting may be stated in the minutes.

To this **Shri C. D. Arha** suggested that these aspects are best looked at afresh and in detail, once NFICI gets moving in terms of substantial membership base and after a corpus is created. Till then it will be an empty talk. In as much as draft minutes were communicated long ago but there was no feed back thereafter, the minutes of the 2nd meeting of the Executive Committee – as recorded were approved.

With regard to the steps to be taken to increase the membership base of NFICI, it was noted that membership contributions had been received from Andhra Pradesh Information Commission; Sikkim Information Commission; and Haryana Information Commission. It was also noted that membership contributions are at advanced stage in the pipe line and were expected to be received soon from the Central Information Commission; Bihar Information Commission; and Karnataka Information Commission.

Shri R. I Singh informed the Executive Committee that his Full Commission has discussed the letter received from CIC about enrolling as a member of NFICI. He informed that the Punjab Information Commission had agreed in principle to become a member but did mention that there has to be some assurance regarding establishment of NFICI Office in Delhi and that this must be put on record. He also requested for a copy of the Bye Laws of NFICI.

Shri Habung Payeng informed the Executive Committee that the State Chief Information Commissioner has written to the State Government about its willingness to become a member of NFICI and to arrange for the Admission Fee & Annual Membership Fee for the first year.

Shri K. Tlanthanga, stated that the Mizoram Information Commission would also be able to send its membership contributions soon.

Shri Wajahat Habibullah informed the Committee that talks for finalising a site for setting up an independent office for the CIC were at an advanced stage and all matters regarding this would be finalised soon. Once this is done and as soon as the structure comes up, appropriate steps could be taken to allocate suitable space for NFICI office in the CIC's premises in Delhi. He also stated that this has been put on record previously as well.

Shri K. K. Misra pointed out that one may have to look at the 'Andhra Pradesh Societies Registration Act' to see if a distinction could be made with respect to the registered office and the Head office and if there is any requirement for the former to be in Hyderabad. If so, a small registered office, only if necessary, could be had in Hyderabad and the Head Office would, of course, be in Delhi so that the need to register NFICI is obviated.

Prof. M. M. Ansari pointed out that as per the MoA, there should be at least 8 members. He pointed out therefore, that for the first Annual General Body Meeting, it would be important to have at least eight members and hence the need to urgently make the due remittances. **The Executive-Secretary-interim** would prepare a note in this regard and submit it during the next Executive Committee or General Body meeting whichever is earlier for an appropriate decision to be taken in this regard.

The Executive Committee noted that given that NFICI was registered on 1st September 2009, the first meeting of the General Body is due before 31st August 2010. To a suggestion by **Prof. M. M. Ansari** that the date for deciding upon the General Body Meeting, **Shri Wajahat Habibullah** suggested that it would be best to give a date after seeing his engagements in Delhi. It was also pointed out that the General Body would have to be intimated at least **15 days** in advance of the date of the General Body meeting.

Prof. M. M. Ansari suggested that so far, as only 3 Information Commissions have paid the money, there are only 3 members in the General Body. He was of the view that given the need to have a minimum of 8 members, an assurance to remit should be good enough to grant membership. **Shri C. D. Arha** strongly opposed this suggestion and suggested that mere assurance toward becoming a member cannot be taken to be the same as actual payment for membership and hence given the limited time at disposal for expanding the membership base and having the minimum of members, the President should send a reminder to those Information Commissions who are yet to become members and request for an early remittance.

Shri Wajahat Habibullah suggested that in his reminder, he would state **15th July 2010** as the preferred date for sending in membership contributions and that in the event that membership contributions are not received, the defaulting Commissions would not have a chance to become a member for at least the current financial year.

The Executive Committee also noted that the General Body, in its first meeting would have to:

- adopt Rules and regulations of the Society – R&R – 7. b. ii. 1).
- to elect the 2nd Executive Committee
- appoint an Auditor for auditing NFICI's financial statement(s) – MoA – 11. d); R&R – 20.
- to approve the Financial Statement – R & R – 7. b. ii. 2)
- ratify the advance of Rs. 10,000/- received by APIC for opening the Bank A/c in the name of NFICI and its reimbursement to CGG, Hyderabad.

As suggested by **Shri K. K. Misra**, the Executive Committee agreed with exercising the option of instructing the State Bank of India – with which NFICI maintains a Current Account – to place any amount above 15 lakhs received in the account in Fixed Deposits. This was agreed. **Shri C. D. Arha** instructed the Finance Officer of APIC **Shri Solomon Ajoy Paul** to explore the possibilities in this regard.

Note: As for the reimbursement to CGG, the Executive Committee discussed and granted approval to Rs. 10,000/-- to CGG. It was discussed that one option could be to reimburse it from the amount to accrue as interest on NFICI's Fixed Deposits as suggested above.

The Executive Committee noted **Clause 14. of Rules and Regulations** (para.2) which, *inter alia* says:

"All the members of the first Executive Committee (Board of Governors) shall retire in the 1st Annual General Body Meeting unless re-nominated..."

It resolved that the present Executive Committee shall continue till the 1st General Body Meeting is conducted and the 2nd Executive Committee is constituted – even though some of the Commissioners may not be members of the Information Commissions, but **till re-nomination** (a term used in the Bye-Laws) formality is completed, they will continue.

The Executive Committee approved the accounts of the Society for FY 2009-10 prepared by the **Executive Secretary – Interim**. These would, now be put up for the ratification of the General Body during the first General Body Meeting. As for appointment of full-time staff for NIFIC, the Executive Committee decided that this could be best decided once NFICI becomes operational in terms of taking up the various activities envisaged for it and till then the present ad-hoc arrangement may continue.

The Executive Committee noted the contents of a letter from Uttarakhand IC to CIC and CIC's reply to Uttarakhand IC. It endorsed the propositions of CIC in its reply. Later as suggested by **Prof. M. M. Ansari**, it was agreed the work of the Programme and Finance Committees could be discussed / reviewed in detail during the 1st General Body Meeting slated to be held soon. **The broad parameters of these have been minuted in the minutes of the 7th Meeting of the Sub-Committee.** The Executive Committee noted, however, that **Dr. Mohd. Shakeel Ahmed** had made a presentation during the Conference organised by APIC earlier in the day about the RTI implementation efforts / steps in the States of Bihar, Jharkhand and Uttar Pradesh.

No other issue(s) were raised. On this, the Chair thanked all the participants and mentioned that though NFICI was yet to come into its own, some significant initial steps have been taken for progressing toward achieving its objectives.

C. D. Arha
Chief Information Commissioner, APIC
& Vice President, NFICI