

MINUTES OF---MEETING OF THE RIGHT TO INFORMATION COMMISSION HELD
ON 12/5/2017 AT 11.00 AM

A meeting of the Right to Information Commission was held on 12/5/2017 in the office of the Chief Information Commissioner, RTI Commission at 11.00 AM. The following were present:

1. Mr. Azmat Hanif Orakzai,
Chief Commissioner, RTIC (In chair)
2. Miss Mah Talat
Commissioner-I, RTIC
3. Mr. Iftikhar Hussain Khan,
Commissioner-II, RTIC
4. Mr. Mushtaq Ahmad,
Secretary, RTIC
5. Mr. Nazim Shahab
Assistant Registrar, RTIC

Mr. Iftikhar Hussain Khan, Commissioner-II, recited from the Holy Quran. The Chairman welcomed the participants and invited the Secretary to brief about the agenda already circulated amongst all concerned. The following items were discussed and decision taken on each as indicated below:

1. ITEM NO.1—To review the disposal of complaints (especially the complaints which are pending for more than 60 days.

Mr. Nazim Shahab, Assistant Registrar, while explaining the position stated that ever since the establishment of the Commission, 3391 complaints were received, out of which 2768 had been disposed off, which comes to 82%. Out of the remaining 623 complaints, 330 were pending for more than 60 days, while 293 are within the period of 60 days.

With regard to summoning the parties for taking decisions on complaints, the Assistant Registrar explained that at present parties are summoned for 3 days in a week. Monday and Friday are for other office work.

After discussion, the Commission decided that in order to reduce pendency, summons for Mondays should also be issued. However, Mondays will exclusively be reserved for disposal of old complaints i.e. those pending for more than 60 days.

2. ITEM No.2—STATUS OF THE VACANT POSITIONS.

On the basis of data provided by the Administrative Officer, the Secretary explained that for filling of various posts of officials i.e. Assistants, Stenographers, Computer Operators and Clerks, a requisition has already been made to ETEA for conducting test of eligible candidates, while for Class-IV posts lists of registered candidates from the Employment Exchanges have been obtained. A few candidates have been interviewed by the Selection Committee, while after interview of the remaining candidates; recommendations will be submitted to the Commission for approval.

3.

ITEM No.3—BUDGET OF THE RTI COMMISSION.

On the basis of data provided by the Budget and Accounts Officer, the Secretary explained that for finances, the Commission is wholly dependent upon government. The government is providing funds to the Commission in the shape of Grant-in-Aid. This Grant-in-Aid is reflected in the budget as single line allocation. After receipt of funds, these are placed in the official designated account of the Commission for expenditure. The government is providing Rs. 30 million in the budget as Grant-in-Aid, however releases depends upon government's financial policies. This year against the budget allocation of Rs. 30 million, after imposing 20% cut, Rs. 24 million has been received. The funds are utilized after observance of government's financial rules and instructions.

The funds have already been audited through Chartered Accountant in light of the provision of RTI Act, 2013, which have been duly reflected in the Annual Report of RTI Commission.

The Commission appreciated the efforts being made for maintenance of accounts.

With the permission of the Chairman, the following new items were also placed for discussion.

4.

ITEM NO. 4—ISSUANCE OF ORDERS OF PROMOTION OF MR. JAZEB TANVEER TO THE POST OF JUNIOR CLERK.

The Secretary explained that on the recommendations of the Internal Selection Committee, the Commission has already approved the promotion of Mr. Jazeb Tanveer Sweeper to the post of Junior Clerk subject to the condition that his orders would be issued upon selection of a new person against the post of Sweeper.

Mr. Jazeb has submitted an application requesting that in light of the Rules, annual increment due on 1/12/2017 will only be admissible to him if his orders are issued before 31/5/2017, therefore his promotion orders may be issued. He has also committed that till the arrival of the new sweeper, he will continue to perform duty as sweeper.

The Commission considered his request, found it genuine and approved the issuance of his orders for promotion from the post of Sweeper to the Post of Junior Clerk with immediate effect.

5.

ITEM NO. 5—PROMOTION OF MR. NIQABUDDIN JUNIOR CLERK TO THE VACANT POST OF ASSISTANT ON ACTING CHARGE BASIS.

The Secretary explained that Mr. Niqabuddin a Junior Clerk of the RTI Commission has two years service at his credit, whereas for regular promotion against the post of Assistant, five years service is necessary. Due to deficiency in his length of service, he has applied for his promotion on acting charge basis against one of the vacant posts of Assistants

His case was referred to the Internal Selection Committee. The Selection Committee examined his request in light of the provision of Rule 9 (1) of the Khyber Pakhtunkhwa (Appointment, Promotion and Transfer) Rules, 1989, which allows the promotion on acting charge basis subject to the condition that

the length of required service should not be short by more than 3 years. Since his length of required service was not short by more than 3 years, therefore, the Selection Committee recommended his promotion on acting charge basis.


The RTI Commission considered his case thoroughly. The Commission was of the view that keeping in view the sensitive work of the Commission; the Assistants should possess experience as required under the rules. The Commission was also of the view that there was no exigency of public service to promote him. In other Government departments, there were posts of Senior Clerks (BS-14), which provide a bridge between a Junior Clerk and Assistant. In light of the Provincial Secretariat Employees Service Rules, the Junior Clerks are eligible for promotion as Senior Clerks with two years service.


The Commission decided that since Mr. Niqabuddin has two years service and the Selection Committee has also recommended his promotion, therefore, one post of Junior Clerk (BS-11) should be upgraded as Senior Clerk (BS-14) with immediate effect. The Commission also approved the promotion of Mr. Niqabuddin Junior Clerk (BS-11) against the upgraded post of Senior Clerk (BS-14).


6. ITEM NO. 6—GRANT OF HONORARIA.

The Commissioner-II, proposed that the deserving staff, especially the staff of Legal Section, who usually sit late due to deficiency of staff, for disposal of official/legal work need to be compensated by granting them honoraria. The Chairman asked the Secretary to explain the legal provision for grant of honoraria. The Secretary explained that in light of the provision of Rule 46 (b), of the Fundamental Rules (FR&SR), the competent authority may sanction honorarium to its employees for the work performed which is occasional in character and either so laborious or of such special merit as to justify a special reward.

The Commission decided that the Commissioner-I should submit her recommendations for the grant of honorarium to the staff of legal section immediately, for consideration of the Commission.


(MISS MAH TALAT)
Commissioner-I


(IFTIKHAR HUSSAIN KHAN)
Commissioner-II


(AZMAT HANIF ORAKZAI)
Chief Commissioner