

MINUTES OF---MEETING OF THE RIGHT TO INFORMATION COMMISSION HELD ON
12/6/2017 AT 11.00 AM

A meeting of the Right to Information Commission was held on 12/6/2017 in the office of the Chief 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

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

ITEM NO.1—Confirmation of minutes of the meeting held on
12/5/2017 and progress on decisions taken in the meeting.

The Commission confirmed the minutes of the meeting held on 12/5/2017. Progress on decisions was explained to the Commission. For item No. 1 regarding hearing of cases pending for more than 60 days on each Monday, it was explained that the Assistant Registrar was of the opinion that after Ramazanul Mubarak, the process will be started.

For item No. 2 regarding filling of vacant posts, it was explained that for Class-IV posts, recommendations of the Selection Commission are at the agenda of today's meeting, whereas for higher posts, the matter has already been taken up with the ETEA.

For item No.3 no action was required.

For item No. 4 and 5 regarding issuance of orders of promotion, orders have already been issued and decision stand implemented.

For item No.6 regarding grant of honoraria, it was explained that the issue is on the agenda of today's meeting.

The Commission expressed satisfaction on implementation of decisions taken in the meeting on dated 12/5/2017.

ITEM NO.2—Grant of honoraria to the staff of the RTI Commission.

The Secretary explained that in the meeting of the Commission held on 12/5/2017, grant of honoraria to the staff of Legal Wing was suggested. However on examination of the issue, it was observed that other staff members

had also been working in the same circumstances and deserved honoraria. Details were explained in the Working Paper.

After detailed discussion, the RTI Commission was of the view that grant of honoraria was a token of appreciation for the officers/officials, who had worked devotedly and at times worked beyond office hours. It encouraged the staff to work more efficiently. The Commission therefore approved the grant of honoraria to all the staff of RTI Commission equal to their half month's basis pay, depending their services in RTIC from July 2016 to June 2017. Proportionate amount was also allowed on the basis of period served during the current financial year. This decision was to be applicable on those who were in service at the time of taking decision i.e. 12/6/2017. The expenses will be borne from within the grant of the current financial year 2016-17.

ITEM NO.3—Separate UPS System for Legal Wing.

The details were explained in the Working Paper. After detailed discussion, the Commission realized the need for a separate UPS System for Legal Wing. It was however decided by the Commission that keeping in view the work load, the present UPS of 5000 watts with 4 batteries, facilitating the Admn: and Legal Wings jointly, should be shifted to the Legal Wing and for Admn: Wing a new UPS System of 2000 watts with 2 batteries may be purchased.

ITEM NO.4— Approval of the revised draft bill regarding amendments in the RTI Act, 2013.

The details were explained in the Working Paper. In light of the suggestions of the Law Department regarding revision of the draft amendments by excluding High Court from the definition of public body and also by deleting a few items from the proposed "Rules of Procedure" and including other items in the draft Bill for amendments, in the RTI Act and its submission to the Law Department for vetting;

The Commission decided as under:

- (a) The proposed inclusion of sub-section (9) of Section 24 of the Act may be deleted;
- (b) The proposed additional provisions of sub-section (10) and (11) of Section 24 may be re-numbered as sub-section (9) and (10) of Section 24 and revised as under:
 - (9) "The Information Commission shall initiate a case for filling the expected vacancy due to retirement of an Information Commissioner or Chief Information Commissioner, as the case may be, one hundred and twenty days before the due date and send it to the Government and the Government shall complete the

process immediately and fill the vacancy on the day of occurrence of vacancy".

(10) "In case of occurrence of any vacancy other than by retirement, the Commission shall initiate a case for filling the vacancy within fifteen days and the Government shall fill the vacancy within sixty days of the occurrence of the vacancy".

(c) Proposed amendment in sub-section (4) of Section 25 may be deleted from the proposed bill.

(d) Proposed addition of clause (f) in sub-section (1) of Section 28 may be deleted from the proposed draft bill.

In view of the above, the Commission approved the remaining revised draft bill and directed that it should immediately be sent to Law Department through Information Department.

ITEM NO.5— Appointment of Class-IV Staff in the RTI Commission.

It was explained that for filling of vacant posts related to Class-IV category, lists of candidates were obtained from the Employment Exchange, in light of the provisions of the Government of Khyber Pakhtunkhwa (Appointment, Promotion and Transfer) Rules, 1987. A Departmental Selection Committee was constituted, consisting on the following:

Mr. Noor Said, Administrative Officer, RTIC.

Mr. Muhammad Tahir, IT Officer, RTIC.

Mr. Ishtiqur-Rehman, Budget & Accounts Officer, RTIC.

The Departmental Selection Committee after scrutinizing the documents and interviewing the candidates, recommended the following candidates for the posts noted against each:

<u>Name of candidate</u>	<u>Qualification</u>	<u>post</u>
Mr. Wali Khan	M.Sc.Economics.	Photostate Operator (BS-3).
Mr. Rizwanullah.	Middle	Chowkidar (BS-3).
Mr. Asad Khan	(BA-Part-I)	Dispatch Rider (BS-3).
Mr. Kamil Khan	F.A.	Sweeper (BS-3)

The Commission after going through the recommendations made by the Selection Committee approved the above named candidates for appointment against the posts of Photostat Operator, Chowkidar and Sweeper.

Since Mr. Asad Khan has the "Learning Driving License" and has no valid Driving License, therefore appointment against this post was deferred for

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Item No.6 (Additional Item). Filling of vacant posts through ETEA.

The Commission-observed that for filling of a few vacant posts of ministerial staff, the matter was taken up with ETEA during the month of April, 2017 and even reminders and personal visits of Admn: Officer to ETEA, no positive response had been received. Due to vacancies, the work was suffering badly, therefore the Commission decided to withdraw the offer from ETEA and consult the NTS for conducting test for the vacant posts immediately.

Item No.7 (Additional Item). Appointment of Interns for RTIC.


It was explained that Under Section 25(3)(a, d & e) of the Khyber Pakhtunkhwa Right to Information Act, 2013, monitoring the performance of public bodies under RTI Act, viz-a-viz training of PIOs and creating awareness about the RTI Law was included in the functions of the RTI Commission. These functions could however not been performed in the desired manner due to absence of any representation of the RTI Commission in the field. A contemporary organization i.e. the Right to Services Commission had appointed interns in all districts of the province to perform duties relating to monitoring of public service delivery. On the same analogy, it was decided to appoint an INTERNE initially at the Divisional level who will be asked to perform all functions related to the effective implementation of RTI Law, and monitoring the PIOs of their respective division.

Accordingly a Summary was moved to the Chief Minister for appointment of seven Internees for RTI Commission, to be posted at Divisional Headquarter basis. They will be paid fixed remuneration of Rs. 15,000/- to 20,000/- per month. The Chief Minister has approved the Summary.

For selection of Interns a Committee consisting on the following was approved:

Miss Mah Talat, Commissioner-I
Mr. Iftikhar Hussain Khan, Commissioner-II
Mr. Noor Said Administrative Officer.


(Miss Mah Talat)
Commissioner-I, RTIC


(Iftikhar Hussain Khan)
Commissioner-II, RTIC


(Azmat Hanif Orakzai)
Chief Commissioner, RTIC