

ToR – 6:

To suggest modalities for creation of a permanent broad-based body for the purpose of coordination of various activities of Central Information Commission and State Information Commissions....

DOCUMENT NO: I

MEMORANDUM OF ASSOCIATION

1. **Name of the Society** : National Federation of Information Commissions in India (NFICI)
2. **Location of the Office** : Office of the Andhra Pradesh Information Commission, HACA Bhavan, Hyderabad - 500 004
3. **Jurisdiction of the Society:** The Society shall operate in territorial jurisdiction of India and is founded on the principle that each of the participating member Commission will retain its identity and autonomy.
4. **Objects of the Society:**

The aims and objects of the Society are as follows:

1. To facilitate coordination and mutual consultation among the Central Information Commission and the State Information Commissions constituted under the Right to Information Act 2005.
2. To strengthen the administration of the Act, through education, research and dissemination of knowledge;
3. To facilitate the exchange of information on laws and their interpretation, landmark judgments, case law and best practices related to the Act in India and similar statutes abroad;
4. To collect, compile and analyze relevant information relating to the implementation of the Act and to take up appropriate issues of importance with the Government of India and State Governments;
5. To promote knowledge and encourage initiatives in matters related to transparency and accountability in governance and to engage the stakeholders such as the Central and State Governments, and the citizens and civil society in these matters;
6. To promote the use of information technology , modern management techniques and tools for effective implementation of the Act;
7. To establish collaboration with research institutions, universities and similar organizations for helping the cause of administration of the Act and furtherance of the objectives of the society;
8. To undertake, organize and facilitate tours, studies, research, lectures, seminars and conferences on the administration and practice of the transparency laws including the Right to Information Act and to provide for the publication of journals, research papers and books in the furtherance of the aforesaid objects and to disseminate information for wider use;
9. To create a secretariat cum resource centre with adequate facilities for research and technical support to the society for its day to day administration and functions;

10. To establish procedures for smooth functioning of the Society and carry out activities in matters relating to personnel, finances, administration, purchases etc.;
 11. To purchase, accept as a gift or otherwise acquire and own or take on lease or hire, temporarily or permanently any movable or immovable property necessary for the furtherance of the objectives and activities of the Society;
 12. To sell, assign, mortgage, lease, exchange and otherwise transfer or dispose of or otherwise deal with all or any property, movable or immovable, of the Society for the furtherance of aims and objectives of the Society;
 13. To build, construct, maintain, repair, adapt, alter, improve or develop or furnish any buildings or works necessary or convenient for the purposes of the Society for the furtherance of aims and objectives of the Society;
 14. To appoint or employ, temporarily or permanently, any person or persons that may be required for purposes of the Society and to pay them or other persons in return for services rendered to the Society salaries, wages, gratuities, provident fund and pensions for the furtherance of aims and objectives of the Society;
 15. To institute, offer and grant prizes, awards, scholarships and stipends in furtherance of the objects of the Society;
 16. To make and enforce Rules and Bye-Laws, and from time to time, to repeal, amend or alter the same;
 17. To pay all costs, charges and expenses incurred in the promotion, formation, establishment and registration of the Society;
1. "Certified that the Association is formed with no profit motive and commercial activities involved in its working".
 2. "Certified that the Bearers are not paid form the Association".
 3. "Certified that the Association would not engage in agitation to ventilate grievance".
 4. "Certified that the office Bearers signatures are genuine".

DECLARATION

We the undersigned persons in the memo have formed into an association and responsible to run the affairs of the Association are desirous of getting the Society registered under A.P. Societies Registration Act 2001.

Signature of the President/ Vice President

Name of the Office Bearers & S/o, W/o, D/o	Age	Designation	Occupation	Address	Signature
Shri Wajahat Habibullah	63	President	Chief Information Commissioner	Central Information Commission, 2nd Floor, August Kranti Bhavan, Bhikaji Cama Place, New Delhi-110066	
Sri C.D. Arha	63	Vice President	Andhra Pradesh State Chief Information Commissioner	Andhra Pradesh Information Commission, Ground Floor, HACA Bhavan, Opp. Public Gardens, Hyderabad - 500 004 Andhra Pradesh	
Shri K. K. Mishra		Executive Committee Member Zone 1	Karnataka State Chief Information Commissioner	Karnataka Information Commission, 3rd Floor, 3rd Stage, Multistoried Buildings, Dr. Ambedkar Road, Bangaluru - 560001.	
Shri P. S. Rana		Executive Committee Member Zone 2	Himachal Pradesh State Chief Information Commissioner	State Information Commission, Himachal Pradesh H.P. Secretariat, Shimla - 171002	
Shri Nyodek Yongamm		Executive Committee Member Zone 3	Arunachal Pradesh State Chief Information Commissioner	Arunachal Pradesh State Chief Information Commission, Arunachal Pradesh	
Shri Suresh Vinayakrao Joshi		Executive Committee Member Zone 4	Maharashtra State Chief Information Commissioner	Maharashtra State Chief Information Commission, Mumbai	

Dr. Mohd. Shakeel Ahmed		Executive Committee Member Zone 5	Bihar State Information Commissioner	Bihar State Information Commission Fourth Floor, Soochna Bhawan Bailey Road, Patna - 800021 Bihar (India)	
Prof. M. M. Ansari		Executive Committee Member	Central Information Commissioner	Central Information Commission 2nd Floor, August Kranti Bhavan Bhikaji Cama Place, New Delhi- 110066	

WITNESSES:

Name in block letter & S/o, W/o, D/o	Age	Residential Address	Occupation	Signature

Signature of the President/ Vice President

DOCUMENT NO: II

BYE LAWS

1. **Name of the Society** : National Federation of Information Commissions in India (NFICI)
2. **Location of the Office** : Office of the Andhra Pradesh Information Commission, HACA Bhavan, Hyderabad - 500 004
3. Without prejudice to the generality of the objects of the Society and for the effective carrying out of the objects, the Society shall have the power to acquire, receive and hold property of any kind including securities and negotiable instruments, to construct and maintain buildings, including the right to alter them suitably, to manage, sell, transfer or otherwise dispose of or deal with property of any kind belonging to the Society, to enter into Contracts for and in connection with any of the purposes of the Society, to raise money and funds, in such manner as may be deemed fit, for and on behalf of the Society, to establish a Provident fund for the benefit of the employees of the Society if and when considered necessary, and to accept the management of any trust, fund or endowment which the Society may be entrusted.
4. All the incomes, earnings, moveable and immovable properties of the Society shall be solely utilized and applied towards the promotion of its aims and objects only as set forth in the Memorandum of Association and no profit thereof shall be paid or transferred directly or indirectly by way of dividends, bonus, profits or in any manner whatsoever to the present or past Members of the Society or to the past members. No member of the Society shall have any personal claim on any moveable or immovable properties of the Society or make any profits, whatsoever, by virtue of his membership.
5. The funds of the Society shall consist of the following:
 - i. Admission fee
 - ii. Annual membership fee
 - iii. Government grants
 - iv. Grants and sponsorships from institutions.
 - v. Miscellaneous receipts such as income from sale of publications.

6. The income and property of the society shall be applied towards promotion of the objectives as set forth in this Memorandum of Association.
7. No portion of the income and property of the society shall be paid or transferred directly or indirectly by way of profits or any other means to persons who may at any time be or have been members or employees of the society.
8. The society shall not undertake any activity of profit for the benefit of its members. Any incidental profits received shall be utilized for the achievement of the objectives of the society.
9. A copy of the Rules of the Society, certified to be a correct copy by six members of the Executive Committee (which will also be known as Board of Governors), is filed, with the Registrar of Societies, Hyderabad along with this document.

10. Membership : Membership is open to all Information Commissions in India, namely;
The Central Information Commission constituted under sub-section (1) of section 12 of the Right to Information Act 2005 and the State Information Commissions constituted under sub-section (1) of section 15 of the Right to Information Act 2005.

i. Category of Members : General

ii. Admission fee and the Annual Subscription or Monthly Subscription : All the members have to pay an Admission fee and Annual membership fee as follows:
Admission fee: Rs.5 lakhs
Annual membership fee: Rs.1 lakh

11. GENERAL BODY

i. Annual General Body consisting of one representative nominated by each member Commission will meet once in a year.

ii. FUNCTIONS:

- a) To pass the budget for the ensuing year and approve expenditure statement of previous year.
- b) To approve the reports of the activities of Society.
- c) To elect the Executive committee etc .from the group consisting of one representative from each of member Commissions.
- d) To appoint an Auditor.

However, all the Chief/Information Commissioners may be invited to the Annual General Body Meeting cum Conference subject to any conditions prescribed by the Executive Committee (Board of Governors) and each member Commission will have only one vote in such meetings.

12. EXECUTIVE COMMITTEE (BOARD OF GOVERNORS) :

- i. The Board of Governors will be the Executive Committee of the society shall consist of Eight (8) members and out of them; they shall elect the President and the Vice President. Each Member of the Executive Committee will represent a zone, which would comprise of a group of State Information Commissions as decided by the Board of Governors with approval from General body. In each zone, the representation of a State will be on rotation basis and all the Member Information Commissions from that zone may decide the nomination of their representative every year.
- ii. The members of the Executive Committee (Board of Governors) shall be duty bound to attest the signatures of all the members of newly elected Executive Committee and to see that the said signatures of the out going Governing Body tally with the annual list as filed with the Registrar of societies before 15 days the succeeding month in which elections were held.

Signature of the President / Vice President

FUNCTIONS OF THE EXECUTIVE BODY AND OFFICE BEARERS

1. **PRESIDENT:** He/She presides over all the meetings of the both General Body and Executive Committee; he casts his vote in case of tie. He can supervise all the branches of the society.
2. **VICE PRESIDENT:** He/She shall assist the President and perform the duties of the President during his absence.
3. **OFFICE BEARERS:** - They are the responsible persons to attend to such activities of the Society, which the Executive Committee entrusts to them.
4. **QUORUM:** - One-third of the total members of the society for General Body and one-fourth of the total members for Executive Committee meetings would constitute the required quorum for the meetings.
5. **FUNDS:** - The funds shall be spent only for the attachment of the objects of the society and no portion thereof shall be paid or transferred directly or indirectly to any of the members through any means.
6. **AMENDMENTS:** - No amendment or alteration shall be made in the purpose of the association unless it is voted by 2/3 of its members present at a special meeting conveyed for the purpose and confirmed by 2/3 of the members present at a second special meeting.
7. **WINDING UP :-** In case the society has to be wound up the property and funds of the society that remain after discharging the liabilities, if any, shall be transferred or paid to some other institutions with similar aims and objects.

Signature of the President/ Vice President

Name of the Office Bearers & S/o, W/o, D/o	Age	Designation	Occupation	Address	Signature
Shri Wajahat Habibullah	63	President	Chief Information Commissioner	Central Information Commission, 2nd Floor, August Kranti Bhavan, Bhikaji Cama Place, New Delhi-110066	
Sri C.D. Arha	63	Vice President	Andhra Pradesh State Chief Information Commissioner	Andhra Pradesh Information Commission, Ground Floor, HACA Bhavan, Opp. Public Gardens, Hyderabad -500 004 Andhra Pradesh	
Shri K. K. Mishra		Executive Committee Member Zone 1	Karnataka State Chief Information Commissioner	Karnataka Information Commission, 3rd Floor, 3rd Stage, Multistoried Buildings, Dr. Ambedkar Road, Bangaluru - 560001.	
Shri P. S. Rana		Executive Committee Member Zone 2	Himachal Pradesh State Chief Information Commissioner	State Information Commission, Himachal Pradesh H.P. Secretariat, Shimla - 171002	
Shri Nyodek Yongamm		Executive Committee Member Zone 3	Arunachal Pradesh State Chief Information Commissioner	Arunachal Pradesh State Chief Information Commission, Arunachal Pradesh	
Shri Suresh Vinayakrao Joshi		Executive Committee Member Zone 4	Maharashtra State Chief Information Commissioner	Maharashtra State Chief Information Commission, Mumbai	

Dr. Mohd. Shakeel Ahmed		Executive Committee Member Zone 5	Bihar State Information Commissioner	Bihar State Information Commission Fourth Floor, Soochna Bhawan Bailey Road, Patna - 800021 Bihar (India)	
Prof. M. M. Ansari		Executive Committee Member	Central Information Commissioner	Central Information Commission 2nd Floor, August Kranti Bhavan Bhikaji Cama Place, New Delhi- 110066	

WITNESSES:

Name in block letter & S/o, W/o, D/o	Age	Residential Address	Occupation	Signature

Signature of the President/ Vice President

AFFIDAVIT

I, _____ S/o _____ resident of _____ Hyderabad, do hereby solemnly affirm and confirm with good state of mind and do hereby declare on oath as follows:

I am Vice President of the Society by name **National Federation of Information Commissions in India (NFICI)**, the application of which is submitting for Registration with the Registrar of Societies, Hyderabad.

The said society is located at the office of Andhra Pradesh Information Commission, HACA Bhawan in Hyderabad District.

I have no objection to establish the said Society in the above premises for which I did not collect any rent from the Society.

It was declared on oath with free will and consent without correction or hesitation with good state of mind on this the _____ day of _____ 2009 in the presence of the following witnesses and signed before the Notary Public who attested by Signature.

Witness:-

- 1.
- 2.

SIGNATURE OF THE DEPONENT

National Federation of Information Commissions in India (NFICI)

RULES AND REGULATIONS

PREAMBLE

The Central Chief Information Commissioner, issuing a Notification on 12 January 2009, constituted a Sub Committee to undertake an in-depth study and analysis of the problems and issues raised during the Annual Convention 2008, and to explore ways and measures for strengthening the information regime. Committee may suggest an action plan for effective implementation of the Right to Information 2005 (RTI Act).

One of the Terms of Reference assigned to the Committee is as follows:

“To suggest modalities for creation of a permanent broad-based body for the purpose of coordination of various activities of CIC and SICs”.

Based on the recommendations made by the Sub Committee with respect to the above Term of Reference, the National Federation of Information Commissions in India (NFICI) has been constituted on the date of its registration as a society.

1. SHORT TITLE:

- a. These Rules may be called 'Rules of the National Federation of Information Commissions in India (NFICI).
- b. They shall come into force from the date of Registration of the Society under the Andhra Pradesh Societies Registration Act, 2001 (herein after known as the Act).

2. DEFINITIONS:

In these Rules unless the context otherwise requires: -

- a. 'Society' means the National Federation of Information Commissions in India (NFICI).
- b. 'Executive Committee' also known as the 'Board of Governors' means the Governing Body of the Society.
- c. 'General Body' means the General Body of the members of the Society.
- d. 'President' means the President of the Society and of the Executive Committee (Board of Governors).
- e. 'Executive Secretary' means the person appointed as the Executive Secretary of the Society.
- f. 'Member' means the member Commission of the Society admitted as such under these Rules and whose name appears in the register of Members.

- g. 'Academic Staff' means the employees of the Society engaged in education, training or research.
- h. 'Rules' means the Rules of the National Federation of Information Commissions in India as may be amended from time to time by the Society.
- i. 'Memorandum' means the Memorandum of Association as registered under the Andhra Pradesh Societies Registration Act, 2001, and as may be amended from time to time by the Society.
- j. 'Year' means the financial year, i.e., 1st April to 31st March.
- k. 'Zone' means a group of member Commissions, defined as follows:

Zone 1 – Information Commissions of i) Andhra Pradesh, ii) Karnataka, iii) Kerala and iv) Tamilnadu.

Zone 2 – Information Commissions of i) Haryana, ii) Himachal Pradesh, iii) Punjab and iv) Uttarakhand

Zone 3 – Information Commissions of i) Arunachal Pradesh, ii) Assam, iii) Nagaland and iv) Sikkim

Zone 4 – Information Commissions of i) Goa, ii) Gujarat, iii) Maharashtra and iv) Rajasthan

Zone 5 – Information Commissions of i) Bihar, ii) Jharkhand and iii) Uttar Pradesh

Zone 6 – Information Commissions of i) Manipur, ii) Meghalaya iii) Mizoram and iv) Tripura.

Zone 7 – Information Commissions of i) Chattisgarh, ii) Madhya Pradesh, iii) Orissa and iv) West Bengal

Zone 8 – Central Information Commission

3. MEMBERS OF THE SOCIETY:

The membership of the Society shall be confined to the Information Commissions in India:

- i. The Central Information Commission constituted under sub-section (1) of section 12 of the Right to Information Act 2005 and
- ii. The State Information Commissions constituted under sub-section (1) of section 15 of the Right to Information Act 2005.

4. TERMS OF MEMBERSHIP:

All the members have to pay an Admission fee, Annual membership fee and any other fees as follows:

- i. Admission fee: Rs.5 lakhs
- ii. Annual membership fee: Rs.1 lakh
- iii. Any other fees or subscriptions for any special services that may be prescribed by the Executive Committee (Board of Governors).

5. RESIGNATION:

When a member Commission desires to resign from the membership of the Society, the said member Commission shall forward the letter of resignation to the President. The resignation shall take effect only from the date of its acceptance by the President.

6. REGISTER OF MEMBERS:

The society shall maintain a Register of Membership indicating their names in full and addresses.

7. GENERAL BODY:

- a. There shall be a General Body composed of the members of the Society.
- b. Powers, Duties and functions of the General Body : -
 - i. The financial authority of the Society shall vest in the General Body.
 - ii. The rights and privileges of the General Body shall be:
 - 1) To adopt Rules & Regulations of the Society and amend them from time to time if required;
 - 2) To pass the accounts and to consider the Auditor's Report and Annual Report at the Annual General Body Meeting;
 - 3) To approve programme of activities of the Society for the ensuing years;
 - 4) To consider and decide about the winding up of the Society and disposal of its assets and liabilities in accordance with the provision of the Act.

8. The annual General Body Meeting of the Society shall be held on such date, time and place as may be determined by the President.

The first Annual General Body Meeting shall be held within 12 months of registration of the Society and thereafter subsequent Annual General Body Meetings will be held at least once in a year to consider the matters mentioned in para 7 b (ii) above.

9. PROCEDURE FOR CALLING OF MEETINGS:

- a. All meetings of the General Body including Annual General Meeting shall be convened by 15 days' notice in writing with the approval of the President.
- b. Every notice of meeting of the General Body shall state the date, time and place of the meeting and shall contain a summary of the agenda of business to be transacted. The notice shall be delivered or sent by post /email to every member of the Society not less than 15 days prior to the date of the meeting. Any inadvertent omission to give notice or non-receipt or late receipt of the notice by any member shall not invalidate the meetings.

- c. One-third of the total members of the Society shall constitute the quorum of a meeting of the General Body.

Provided that if a meeting is adjourned for want of quorum, the Members present at the subsequent meeting to consider the same agenda shall constitute the quorum.

10. SPECIAL INVITEES:

The President may invite any person, other than the member to attend a meeting of the General Body. Such an invitee shall not, however, be entitled to cast his/her vote at the meeting.

11. DECISION BY MAJORITY VOTES:

- a. In case of difference of opinion on any point of agenda, the same shall be decided by majority votes of the member Commissions present at the meeting.
- b. Each member Commission shall have one vote.
- c. In case of equality of votes, the President of the meeting shall have a casting vote.

12. POWERS OF THE PRESIDENT TO CONSTITUTE COMMITTEES & SUB-COMMITTEES:

With a view to provide for better attainment of the aims and objects of the Society, the President shall have powers to constitute committees which shall monitor and advise the President on the matters referred to them. The report and recommendations of the said committee, if any, shall be submitted to the Executive Committee (Board of Governors) for consideration.

13. SPECIAL MEETING:

The President may convene a meeting of the General Body after due notice and/or on the written notice by not less than one-third of the members of the General Body to consider matters of special nature. The member Commissions desirous of calling a meeting shall intimate in writing to the Executive Secretary requesting him/her to convene a special meeting to consider matters of special nature and the Executive Secretary with the approval of the President shall convene such a meeting and issue notice to the members of such a meeting.

14. EXECUTIVE COMMITTEE (BOARD OF GOVERNORS):

The administration, management and control of the Society shall be vested in the Executive Committee (Board of Governors). The first Executive Committee (Board of Governors) will consist of the following:

Name in full	Address	Occupation	Designation in society
Shri Wajahat Habibullah	Central Information Commission 2nd Floor, August Kranti Bhavan Bhikaji Cama Place, New Delhi-110066	Chief Information Commissioner	President
Shri C.D. Arha,	Andhra Pradesh Information Commission, Ground Floor, HACA Bhavan, Opp. Public Gardens, Hyderabad 500 004 Andhra Pradesh	Andhra Pradesh State Chief Information Commissioner	Vice President
Shri K. K. Mishra	Karnataka Information Commission, 3rd Floor, 3rd Stage, Multistoried Buildings, Dr.Ambedkar Road, Bangalore - 560001.	Karnataka State Chief Information Commissioner	Executive Committee Member Zone 1
Shri P. S. Rana	State Information Commission, Himachal Pradesh HP Secretariat, Shimla - 171002	Himachal Pradesh State Chief Information Commissioner	Executive Committee Member Zone 2
Shri Nyodek Yongamm	Arunachal Pradesh State Chief Information Commission, Arunachal Pradesh.	Arunachal Pradesh State Chief Information Commissioner	Executive Committee Member Zone 3
Shri Suresh Vinayakrao Joshi	Maharashtra State Chief Information Commission, Mumbai	Maharashtra State Chief Information Commissioner	Executive Committee Member Zone 4
Dr. Mohd. Shakeel Ahmed	Bihar State Information Commission Fourth Floor, Soochna Bhawan Bailey Road, Patna - 800021 Bihar (India)	Bihar State Information Commissioner	Executive Committee Member Zone 5
Prof.M.M. Ansari	Central Information Commission 2nd Floor, August Kranti Bhavan Bhikaji Cama Place, New Delhi-110066	Central Information Commissioner	Executive Committee Member

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

second Executive Committee (Board of Governors) consisting of not more than 16 members shall be constituted by selecting two member Commissions from each zone in alphabetical order. In subsequent years the first member Commission in alphabetical order from each zone shall retire at each General Body meeting to be replaced by the member from the same zone immediately following the last member Commission, who was nominated during the previous year in that zone, on a rotational basis. In case of zone 8, the Central Chief Information Commissioner may decide the manner in which the members should be nominated from Central Information Commission.

15. POWERS AND FUNCTIONS OF THE EXECUTIVE COMMITTEE (BOARD OF GOVERNORS):

- a. The Executive Committee also known as Board of Governors shall be responsible for the management and administration of the affairs of the Society in accordance with these rules and the bye laws made there under for furtherance of its objects and shall have all powers which may be necessary or expedient for the purpose.
- b. Without prejudice to the generality of the powers conferred by the fore-going sub-rule, the Executive Committee (Board of Governors) shall have the power:
 - i. To prepare and execute detailed plans and programmes for furtherance of the objects of the Society;
 - ii. To consider the annual and supplementary budgets placed before it and pass them with such modifications as may be deemed necessary for being submitted to the General Body;
 - iii. To prepare annual report and accounts of the Society for consideration of the General Body;
 - iv. To create posts and appoint such staff as may be required for the efficient management of the affairs of the Society and regulate the recruitment and conditions of service.
 - v. To receive and to have custody of the funds of the Society and manage the properties of the Society;
 - vi. To incur expenditure subject to the provisions of the approved budget;
 - vii. To lay down terms and conditions with regard to scholarships, fellowships, deputation, consultancy, grant-in-aid, research schemes and projects;
 - viii. To make, adopt and vary from time to time the bye-laws for the regulation of and for any purpose connected with the management and administration of the affairs of the Society and for furtherance of its objects;
 - ix. To exercise control over the employees of the Society, including the power of suspension and dismissal;
 - x. To prescribe the powers, functions and duties of the Secretary of the Society;

- xi. To select, from time to time, subjects in which studies, researches, trainings and teachings may be conducted by the Society;
 - xii. To correspond with foreign scholars, institutions and organizations and to cooperate with them in matters relating to the work of the Society;
 - xiii. To depute, if it deems fit, delegates to represent the Society at conferences in India and abroad;
 - xiv. To hold lectures and seminars and arrange for studies, trainings, researches and conferences in such subjects and in such manners as it may deem fit from time to time.
 - xv. To publish and/or to finance the publication of studies, books, periodicals, reports and/or other literatures and to sell or to arrange for the sale of these, as it may deem fit, from time to time;
 - xvi. To arrange for the documentation of such materials in legal and allied fields, as it may deem fit, from time to time;
 - xvii. To institute and maintain library or libraries;
- c. The Executive Committee (Board of Governors) may, by resolution, delegate such administrative, financial and other powers to the Executive Secretary or any other Officer of the Society as it may consider necessary and proper.

16. (A) MEETING OF EXECUTIVE COMMITTEE (BOARD OF GOVERNORS):

The Executive Committee (Board of Governors) will meet at such intervals, at least once in every six months, as may be required for smooth functioning of the Society.

(B) PRESIDENT OF MEETINGS:

The President shall preside over all meetings of the General Body as well as the Executive Committee (Board of Governors), but where the President is absent at any meeting, the Vice President shall preside. In the absence of both of them, the senior most member shall preside over the meeting.

17. EXECUTIVE SECRETARY:

1. The Executive Secretary of the Society shall be the Principal Executive Officer of the Society. He or she shall be appointed by the President with the approval of the Executive Committee (Board of Governors) and shall receive such honorarium or salary and emoluments and will be governed by such terms and conditions of services as may be determined by the President from time to time with the approval of the Executive Committee (Board of Governors).
2. The Executive Secretary is authorized to enter into agreements/contracts on behalf of the Society in accordance with the bye laws of the Society.

18. FUNCTIONS AND POWERS OF THE EXECUTIVE SECRETARY:

- a. Subject to any order that may be passed by the President , the Executive Secretary shall be responsible for :
 - i. The proper administration of the affairs and funds of the Society;
 - ii. Prescribing the duties to all the employees of the Society;
 - iii. Preparation of annual budgets, supplementary budgets etc. and their submission to the competent authority for approval;
 - iv. Maintenance of accounts and its audit;
 - v. Coordinating and exercising the general supervision on all the activities of the Society and upon the work and conduct of the employees of the Society.
- b. The Executive Secretary shall maintain a record of the minutes of the meetings of the Executive Committee (Board of Governors)/ General Body, Committees, sub-Committees etc., and perform such other duties as may be assigned to him or her by the President from time to time.
- c. The Executive Secretary shall prepare Annual Report and Accounts of the Society for consideration of the Executive Committee (Board of Governors)/ General Body.
- d. In the event of the absence of the Executive Secretary for a long period leave or otherwise his inability to act, the President may make interim arrangements to look after his or her duties.

19. FUNDS OF THE SOCIETY, ACCOUNTS AND AUDIT:

- a. The funds of the Society shall consist of the following:
 - i) Admission fee,
 - ii) Annual membership fee
 - iii) Government grants
 - iv) Grants and sponsorships from institutions
 - v) Miscellaneous receipts such as income from sale of publications
- b. The Society shall maintain proper accounts including balance sheets in such form as are prescribed under the Andhra Pradesh Societies Registration Act, 2001, and the bye-laws made there under.
- c. The funds of the Society shall be utilized for the objects of the Society mentioned in the Memorandum of Association.

- 20.** The Accounts of the Society shall be audited annually by a qualified auditor appointed by the General Body of the Society and any expenditure incurred in connection with the auditing of accounts of the Society shall be payable by the Society.

21. OPERATION OF BANK ACCOUNTS:

The funds of the Society shall be deposited in a Public Sector bank to be named by the Executive Committee (Board of Governors). Any money received by or on behalf of the Society shall be deposited into the Society's bank account and shall not be withdrawn except through cheques issued by the Executive Secretary or any other official authorized in this behalf.

22. LEGAL PROCEEDINGS:

The Society may sue or be sued in the name of the Executive Secretary as per provisions laid down under Section 19 of the A.P. Societies Registration Act, 2001.

23. INDEMNITY:

Every officer of the Society shall be indemnified from out of the funds of the Society against any loss and expense incurred in the *bonafide* discharge of their official duties.

24. VALIDATION OF ACTS:

The Society shall function notwithstanding any vacancy in its body and no act, direction or proceeding of the Society shall be invalid merely by reason of such a vacancy or any defect in the appointment of any of its members.

25. ANNUAL LIST OF EXECUTIVE COMMITTEE (BOARD OF GOVERNORS):

Once in every year a list of members of the Executive Committee (Board of Governors) shall be filed with the Registrar of Societies, Hyderabad as required under Section 4 of the A.P. Societies Registration Act, 2001.

26. AMENDMENTS TO MEMORANDUM OF ASSOCIATION OR RULES:

Any amendment to the Memorandum of Association or Rules will be carried out in accordance with the procedure laid down under Section 8 of the A.P. Societies Registration Act, 2001.

27. DISSOLUTION AND ADJUSTMENT OF AFFAIRS:

If the Society is to be dissolved, it shall be dissolved as per the provision laid down under Section 24 the A.P. Societies Registration Act, 2001.

28. APPLICATION OF THE ACT:

All the provisions under all the sections of A.P. Societies Registration Act, 2001 shall apply to the Society.

CERTIFICATE

It is certified that this is the correct copy of the Rules and Regulations of the Society.

President

Vice President

Executive Member

T. DAMODAR,
MA., LLM
ADVOCATE



Ph : 27565682(R)
: 27662469(O)
Cell : 98493 31123

H. No. 2-2-1164/24,
Street No. 6,
New Nallakunta,
Hyderabad - 044

Addl. Standing Counsel for Central Government

Date: 7-8-2009.

To

The Director General,
Centre for Good Governance,
Jubilee Hills,
Hyderabad.

Sir,

Sub: Legal Opinion regarding registration of national level Information
Commission – Reg.

This is in response to the query regarding the registration of a society of multi-state representation being formed under the aegis of the Central Information Commission for the purpose of coordination of activities of the State Commissions & Central Commission.

The matter regarding the registration of proposed 'National Federation of Information Commissions' as a society has been examined. The following points emerged from the back ground material given to me:

This federation is intended to be registered as a society and not as a co-operative society. There is a provision under the Multi-State Cooperative Societies Act that a cooperative society operating in different states has to be registered only in Delhi, the registration being done under Sec.6 & 7 of the said Act. Since the intent is to register this federation as a society and not as a cooperative society, we cannot resort to registration under Multi State Cooperative Societies Act, 2002.

1. As far as the Society Registration Act 1860, which is the Central Act, is concerned, it stands repealed with the enactment of A.P. Societies Registration Act 2001, the repeal clause being clearly given under Sec. 32 of the Act. Therefore, a Society having its office in Hyderabad has to be necessarily registered under the A.P. Societies Registration Act. There is no bar for such a society to operate on all India basis even though it might have been registered in Andhra Pradesh with office in Hyderabad.

2. There is a provision under the Society's Registration Act 1860, as adopted by NCT of Delhi, that a society of national (multi-state) character with all India territorial jurisdiction can be registered in Delhi only when it necessarily has its office in Delhi. In addition, another requirement is that it should have a minimum 8 different members from 8 different states of the country. Since the office of the proposed federation is going to be located in Hyderabad, this society cannot be registered under this provision in Delhi.

Therefore, it is suggested that the National Federation of Information Commissions in India with its proposed registered office at Hyderabad should be registered under A.P. Societies Registration Act 2001.

Yours sincerely,



(T. DAMODAR)

Advocate &

Addl. SC for Central Government

TOR - 6

Points for consideration of The Sub-Committee at its meeting

On 22.8.2009.

Two final drafts - first on 'The Memorandum of Association' and the second on 'Rules and Regulations' on the constitution of The National Federation of Information Commissioners in India have been circulated for consideration of the Sub-Committee. During my discussions with the Director General, CGG Hyderabad on 20.8.2009, it came to light that the Societies Registration Act 1860 has been repealed in Andhra Pradesh by the Andhra Pradesh Societies Registration Act 2001. After obtaining legal opinion in the matter, CGG Hyderabad has proposed registration of the Federation as a Society under the AP Societies Registration Act, 2001. However, the Federation of various Information Commissioners should appear to be having an All India character and should, therefore, be registered under a Central Act rather than a State Act. Consequently following suggestions are placed before the Sub-Committee for consideration at its meeting on 22.8.2009 :-

- (1) The National Federation of Information Commissioners may be registered as a Society under the Societies Registration Act 1860 instead of registering it under the AP Societies Registration Act 2001. This would require consequential changes in the two drafts regarding the location of its office etc.
- (2) The two drafts finalised by CGG Hyderabad use the terms 'Executive Committee' and/or 'Board of Governors' for the day-to-day functioning of the Federation. It may be more appropriate to use the term 'Executive Committee' in the Memorandum of Association and the Rules & Regulations of the Federation.
- (3) While the constitution of the initial 'Executive Committee' may be accepted as proposed in the two drafts, there is need to make a provision for the constitution of the Executive Committee on yearly basis. The composition may be as under:—

- (i) The Central Chief Information Commissioner may be The President of the Executive Committee ;
 - (ii) One Central Information Commissioner may be included as a Member. He/she may be nominated by the Central Information Commission, New-Delhi
 - (iii) Each Zone comprising of four State Information Commissioners may nominate one Member on rotation basis. Thus there may be seven Members representing State Information Commissioners.
 - (iv) There may be two Vice - Presidents out of the seven Zonal Members who may be nominated on rotation basis .
- (4) The quorum for the meeting of The Executive Committee may also be kept at $\frac{1}{3}$ rd of the Members as in the case of the General Body meeting .

The Sub-Committee is requested to consider the above suggestions at its meeting to be held on 22. 8. 2009 and finalise the 'Memorandum of Association' and the 'Rules & Regulations' of the proposed National Federation of Information Commissioners in India .

21st August, 2009

P. S. Rama
(P. S. RAMA)

**EXTRACT (ON TOR-6) FROM MINUTES OF THE 4TH MEETING OF
SUB-COMMITTEE HELD ON 22.08.2009**

ToR(6):- To suggest modalities for creation of a permanent broad-based body for the purpose of coordination of various activities of CIC and SICs.

Shri K.K. Mishra initiated the discussions on the modalities for creation of a permanent broad based body for the purpose of co.ordination of various activities of CIC and SICs. He elaborated at length the aims and objectives of the proposed Federation (1-17), along with its Memorandum of Associations including 4 certifications to be done and a declaration to be made, rules and regulations (1-28), Bye-laws, functions of the Executive Committee and office bearers (1-7) as well as certain draft declarations and affidavits that will have to be signed. He dilated on the composition of the General Body and the procedures for calling of meetings and conduct of its proceedings. The powers and functions of the President as well as the constitution of the committees and sub-committees were also elaborated. In special circumstances, the procedure for convening special meetings or calling for special invitees was also explained. He also graphically explained the composition of the Board of Governors which will administer, manager and control the Federation. Powers and functions of the Board of Governors were explained at length including the frequency of its meetings. A nucleus staff headed by an Executive Secretary was also explained along with the details of functions and powers of the Executive Secretary. Inter-alia issues connected with operation of Bank Accounts, legal proceedings, indemnity, validation of Acts, Annual List of Board of Governors and the limited liability aspect was also explained. The procedure for amendment of Memorandum of Association and rules was also explained. He also explained the rotation formula that will be adopted so as to maximize participation from all the constituents.

Prof. M.M. Ansari fully supported the concept paper as presented and stated that this is in harmony with the recommendations made by the Administrative Reforms Commission chaired by Mr. Veerappa Moily. He also informed that approval has also been obtained of the proposed Federation from the Chief Information Commissioner, Central Information Commission, Shri Wajahat Habeebullah who has already appended his signature as a token of acceptance of the proposals made.

Shri Suresh Joshi, CIC, Maharashtra and Dr. Mohd. Shakeel Ahmed also expressed their support for setting up the Federation.

CIC, Himachal Pradesh, Shri Rana circulated a hand written note expressing some concerns on certain aspects. He was of the view that preferably the Federation should be registered in Delhi under the Central Act rather than the State Act as it will have pan Indian applicability. Secondly, he was of the view that the term "Executive Committee" should be substituted for the term "Board of Governors" as it has a better acceptability. Lastly, he also suggested certain changes in the composition of the Executive Committee in as much as there should be a provision for re-constitution of the Executive Committee on yearly basis.

Responding to the legal implication, Shri Rajeev Sharma, responded that legal opinion has been obtained from Advocate and Additional Senior Counsel for Central Government who has opined as follows:

"Sub: Legal Opinion regarding registration of National Level Information Commission – Reg.

This is in response to the query regarding the registration of a society of multi-state representation being formed under the aegis of the Central Information Commission for the purpose of coordination of activities of the State Commissions & Central Commission.

The matter regarding the registration of proposed "National Federation of Information Commissions" as a society has been examined. The following points emerged from the back ground material given to me:

This federation is intended to be registered as a society and not as a co-operative society. There is a provision under the Multi-State Cooperative Societies Act that a cooperative society operating in different states has to be registered only in Delhi, the registration being done under Sec.6 & 7 of the said Act. Since the intent is to register this federation as a society and not as a cooperative society, we cannot resort to registration under Multi State Cooperative Societies Act, 2002.

- 1. As far as the Society Registration Act 1860, which is the Central Act, is concerned, it stands repealed with the enactment of A.P. Societies Registration Act, 2001, the repeal clause being clearly given under Sec.32 of the Act. Therefore, a Society having its office in Hyderabad has to be necessarily registered under the A.P. Societies Registration Act. There is no bar for such a society to operate on all India basis even though it might have been registered in Andhra Pradesh with office in Hyderabad.*
- 2. There is a provision under the Society's Registration Act 1860, as adopted by NCT of Delhi, that a society of national (multi-state) character with all India territorial jurisdiction can be registered in Delhi only when it necessarily has its office in Delhi. In addition, another requirement is that it should have a minimum 8 different members from 8 different states of the country. Since the office of the proposed federation is going to be located in Hyderabad, this society cannot be registered under this provision in Delhi.*

Therefore, it is suggested that the National Federation of Information Commissions in India with its proposed registered office at Hyderabad should be registered under A.P. Societies Registration Act 2001.

After receiving this clarification, Shri Rana conceded that though there is no legal impediment in having the Registration done at Hyderabad yet he was of the view that there should be no unseemly haste in Registration. His suggestion was to first obtain the opinion of all the 38 State Information Commissions and State Governments as well as the Central Information Commission and only thereafter have the Registration done. At his personal level he explained that he cannot be a party to a decision without first consulting his other colleagues in the Himachal Pradesh Commission as also in the absence of obtaining the views of the State Government.

Shri K.K. Mishra, Prof. M.M. Ansari as well as Shri C.D. Arha tried to impress upon Shri Rana that in as much as there are no legal impediments in registration, the balance of convenience would be to go ahead and have it registered. Setting up of federation will be in conformity with the recommendations made by the Kashyap Committee as well as the recommendations made by the Administrative Reforms Commission. Subjecting the registration to prior consultations and feed back to be obtained from all the State Information Commissions/Governments concerned will be extremely dilatory, time consuming and userfructury. In any way, joining or not joining is a voluntary decision to be taken by the respective Commission. There is no coercive mandate for becoming a member and it is open to individual decisions of the Commissions concerned. As to Shri Rana's suggestion of altering the designation from "Board of Governors" to "Executive Committee", this was accepted and keeping in view his suggestion it was recorded in Document 2 (Bye-laws) under item 12 "the Board of Governors will be the Executive Committee of the Society". Even after Kashyap Committee's recommendation as well as ARC's recommendations and even after a near unanimous acceptance of the proposal it was agreed that the balance of convenience would be to proceed ahead and adopt the sub-committee recommendations on setting up of permanent broad based body for the purpose of co-ordination of various activities of CIC and SICs and have it registered. In this eventuality, atleast there will be one firm concrete and tangible object achieved. In the end it was concluded that Registration can be proceeded with and simultaneously efforts will continue to convince Shri Rana of the merits of the case.



సంఘముల రిజిస్ట్రారు వారి కార్యాలయము
హైదరాబాద్

OFFICE OF THE REGISTRAR OF SOCIETIES
HYDERABAD

Certificate of Registration

రిజిస్ట్రేషన్ ధృవపత్రము

(200 లో న నెంబరు)

[NO. 479 OF 200 9]

ఆంధ్రప్రదేశ్ సంఘముల రిజిస్ట్రేషన్ చట్టము 2001 క్రింద _____

నేడు రిజిస్ట్రారు అయినదని యిందు మూలముగా ధృవపరచడమైనది.

I hereby certify that NATIONAL FEDERATION OF INFORMATION

COMMISSIONS IN INDIA . A.P. INFORMATION COMMISSION. HARA BHARANI, HY
500 004.

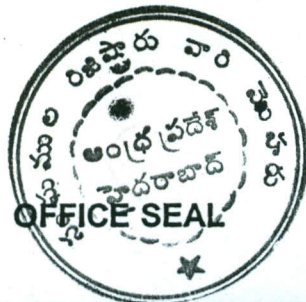
on this day registered under the Andhra Pradesh Societies Registration Act. 2001.

నా సంతకము, మొహారుతో _____ వ సంవత్సరం _____

మాసము _____ తేదిన మంజూరు చేయడమైనది.

Given under my hand and seal at Hyderabad this the 1ST

day of SEPTEMBER TWO THOUSAND AND NINE



సంఘముల రిజిస్ట్రారు
REGISTRAR OF SOCIETIES
హైదరాబాద్

Summary

ToR 6

To suggest modalities for creation of a permanent broad-based body for the purpose of coordination of various activities of CIC and SICs

ToR 6 of the sub-Committee pertained to “suggesting modalities for creation of a permanent broad-based body for the purpose of coordination of various activities of CIC and SICs”

It came to be suggested early on that the said “permanent broad-based body” would be a ‘Registered Society’. In this regard, during the first meeting of the Sub-Committee on 28.01.2009, an agreement was reached that:

Centre for Good Governance would also provide study assistance to the sub-Committee

The lead members of the Sub-Committee who would provide necessary guidance to the CGG team would be Shri K. K. Mishra, CIC, Karnataka and Shri P. S. Rana, CIC, Himachal Pradesh.

On 12th -13th March 2009 Shri Mishra and Shri Rana visited CGG and met with the DG, CGG and with the CGG team working on the ToRs for the Sub-Committee and discussed the modalities of the proposed entity and provided some valuable suggestions regarding the points to be included in the ‘Memorandum of Association’ and ‘Rules and Regulations’ for the proposed entity. It was also proposed that the name of the entity would be ‘National Federation of Information Commissions in India’ (NFICI) and that the newly formed entity would have its office in the Andhra Pradesh Information Commission with CGG, Hyderabad being its Secretariat.

Accordingly, CGG prepared the first draft of MoA and Rules and Regulations, which was discussed during the 2nd meeting of the **Sub-Committee meeting in Delhi, wherein the following suggestions were made:**

- Appropriate terminology for the Governing Body could be either Board of Directors or Board of Governors and the latter would be more appropriate.
- Some inadvertent Inconsistencies in the draft as far as reference to office bearers is concerned be removed.
- A Secretary General should be provided for to the entity the body.
- An Admission Fee of Rs. 5 lakhs as a one-time contribution and Rs. 1 lakh as Annual Membership Fee could be charged. A separate participants’ fee should be collected for the various events conducted from time-to-time.
- The word Networking, per se, should be omitted, even though the Federation would definitely facilitate networking.
- ICs could be clubbed together region-wise. Membership could be, accordingly, allocated. Each group would nominate a member to the governing body with due concern to seniority. This will ensure regional representation in the Federation as also in its governing body.
- Elections could be avoided. Each regional grouping could nominate its representative from amongst itself. Some rotation formula could be worked out by which each Commission could be represented.

- The objectives and composition of the Board of Governors need to be further deliberated upon by the members of the Sub-Committee.
- The documents should be legally vetted before registration.
- Bringing out various publications should be one of the key activities of the Federation. This should be explicitly stated in the MoA.
- A proposal could be sent to the Government of India (GoI) to give an annual grant to the Federation.
- The Sub-Committee should consider following the NREGA pattern, which provides for co-opting with Civil Society Organisations.
- Membership should be restricted only to Information Commissioners. The events organised by the Federation could be thrown open to all NGOs to participate.
- The 'Administrative Reforms Commission' (ARC) has suggested that an organisation be set up for coordination among ICs. ARC has used a specific term for it. The proposed Federation could be named accordingly. This would make it easier to get a grant from the GoI.
- Another option for receiving a grant would be to approach the 'Planning Commission' for a contribution to the Federation's corpus – interest on which could fund some of the recurring expenditure.

The Convener, SCIC, AP suggested that a 4-member Group consisting of him; SCIC, HP, SCIC, Karnataka and Prof. Ansari would further deliberate upon the draft.

This group met at Shimla and deliberated further upon the constitution of the proposed.

Key suggestions made after the Shimla meeting pertained to considering registration of the entity under the 'Societies Registration Act, 1860' and having its office registered in Delhi. These points were reiterated during the 3rd Sub-Committee meeting. **Further it was suggested that CGG seek legal opinion on the matter of registration of a society under the Central Act and the AP Societies Act.**

It was also suggested that the registration of the society may be done well before the next Annual Convention.

In the 4th meeting of the Sub-Committee on 22.08.2009 in Hyderabad, the discussion on ToR6 began with Shri K.K. Mishra's elaboration on the aims and objectives of the proposed Federation, along with its Memorandum of Association including certifications to be done and a declaration to be made, rules and regulations, Bye-laws, functions of the Executive Committee and office bearers as well as certain draft declarations and affidavits that will have to be signed.

Shri Mishra dilated on the composition of the General Body and the procedures for calling of meetings and conduct of its proceedings. The powers and functions of the President as well as the constitution of the committees and sub-committees were also elaborated. In special circumstances, the procedure for convening special meetings or calling for special invitees was also explained. He also graphically explained the composition of the Board of Governors which will administer, manager and control the Federation. Powers and functions of the Board of Governors were explained at length including the frequency of its meetings.

A nucleus staff headed by an Executive Secretary was also explained along with the details of functions and powers of the Executive Secretary. Inter-alia issues connected with operation of Bank Accounts, legal proceedings, indemnity, validation of Acts, Annual List of Board of Governors and the limited liability aspect was also explained. The procedure for amendment of Memorandum of Association and rules was also explained. He also explained the rotation formula that will be adopted so as to maximize participation from all the constituents.

Prof. M.M. Ansari fully supported the concept paper as presented and stated that this is in harmony with the recommendations made by the Administrative Reforms Commission chaired by Mr. Veerappa Moily. He also informed that approval has also been obtained of the proposed Federation from the Chief Information Commissioner, Central Information Commission, Shri Wajahat Habibullah who has already appended his signature as a token of acceptance of the proposals made. Shri Suresh Joshi, CIC, Maharashtra and Dr. Mohd. Shakeel Ahmed also expressed their support for setting up the Federation.

CIC, Himachal Pradesh, Shri Rana circulated a hand written note expressing some concerns on certain aspects. He was of the view that preferably the Federation should be registered in Delhi under the Central Act rather than the State Act as it will have pan Indian applicability. Secondly, he was of the view that the term "Executive Committee" should be substituted for the term "Board of Governors" as it has a better acceptability. Lastly, he also suggested certain changes in the composition of the Executive Committee in as much as there should be a provision for re-constitution of the Executive Committee on yearly basis.

Responding to the legal implication, Dr Rajeev Sharma, responded that legal opinion has been obtained which states as follows:

* * *

This is in response to the query regarding the registration of a society of multi-state representation being formed under the aegis of the Central Information Commission for the purpose of coordination of activities of the State Commissions & Central Commission.

The matter regarding the registration of proposed "National Federation of Information Commissions" as a society has been examined. The following points emerged from the back ground material given to me:

This federation is intended to be registered as a society and not as a co-operative society. There is a provision under the Multi-State Cooperative Societies Act that a cooperative society operating in different states has to be registered only in Delhi, the registration being done under Sec.6 & 7 of the said Act. Since the intent is to register this federation as a society and not as a cooperative society, we cannot resort to registration under Multi State Cooperative Societies Act, 2002.

1. *As far as the Society Registration Act 1860, which is the Central Act, is concerned, it stands repealed with the enactment of A.P. Societies Registration Act, 2001, the repeal clause being clearly given under Sec.32 of the Act. Therefore, a Society having its office in Hyderabad has to be necessarily registered under the A.P. Societies Registration Act. There is no bar for such a society to operate on all*

India basis even though it might have been registered in Andhra Pradesh with office in Hyderabad.

2. *There is a provision under the Society's Registration Act 1860, as adopted by NCT of Delhi, that a society of national (multi-state) character with all India territorial jurisdiction can be registered in Delhi only when it necessarily has its office in Delhi. In addition, another requirement is that it should have a minimum 8 different members from 8 different states of the country. Since the office of the proposed federation is going to be located in Hyderabad, this society cannot be registered under this provision in Delhi.*

Therefore, it is suggested that the National Federation of Information Commissions in India with its proposed registered office at Hyderabad should be registered under A.P. Societies Registration Act 2001.

After receiving this clarification, Shri Rana conceded that though there is no legal impediment in having the Registration done at Hyderabad **yet he was of the view that there should be no unseemly haste in Registration. His suggestion was to first obtain the opinion of all the 28 State Information Commissions and State Governments as well as the Central Information Commission and only thereafter have the Registration done. At his personal level he explained that he cannot be a party to a decision without first consulting his other colleagues in the Himachal Pradesh Information Commission as also in the absence of obtaining the views of the State Government.**

Shri K. K. Mishra, Prof. M.M. Ansari as well as Shri C. D. Arha tried to impress upon Shri Rana that in as much as there are no legal impediments in registration, the balance of convenience would be to go ahead and have it registered. Setting up of federation will be in conformity with the recommendations made by the Kashyap Committee as well as the recommendations made by the Administrative Reforms Commission. Subjecting the registration to prior consultations and feed back to be obtained from all the State Information Commissions/Governments concerned will be extremely dilatory, time consuming and laborious.

It was mentioned by the Convener Shri C. D. Arha that in any case, joining or not joining is a voluntary decision to be taken by the respective Commission. There is no coercive mandate for becoming a member and it is open to individual decisions of the Commissions concerned.

As to Shri Rana's suggestion of altering the designation from "Board of Governors" to "Executive Committee", this was accepted and keeping in view his suggestion it was recorded in Document 2 (Bye-laws) under item 12 "the Board of Governors will be the Executive Committee of the Society". Even after Kashyap Committee's recommendation as well as ARC's recommendations and even after a near unanimous acceptance of the proposal it was agreed that the balance of convenience would be to proceed ahead and adopt the sub-committee recommendations on setting up of permanent broad based body for the purpose of co-ordination of various activities of CIC and SICs and have it registered. In this eventuality, at least there will be one firm concrete and tangible object achieved.

In the end it was concluded that Registration can be proceeded with and simultaneously efforts will continue to convince Shri Rana of the merits of the case.

Accordingly, the NFICI was registered on 1st September, 2009.

A copy of the registration certificate was distributed to the members of the Sub-Committee present for the 5th meeting of the Sub-Committee on 17.09.2009. During this meeting, it was Shri C. D. Arha reiterated his stand that in registering NFICI, at least one specific and tangible output had been achieved by the Sub-Committee.

He added that in line with the recommendations of the Kashyap Committee that CGG would be a useful resource-support-organisation for any forum that would be created for better coordination between all the Information Commissions and for providing appropriate inputs to different stakeholders with the objective of strengthening RTI implementation.

Moreover, he said that coordination would become a very difficult and uneconomical task if the Federation is to be headquartered in New Delhi and it will be initially impossible to provide it with backstopping support.

He also brought it to the notice of the house that that the present document of registration of the Federation had not been cast in stone and that, suitable changes could be made to the provisions of the existing document if the members of the Federation deem fit.

In any case, he stated that, there was no compulsion on any Information Commission to join the federation and it was entirely voluntary.

Shri K. K. Mishra suggested that now that the Society had been registered, it was time to take the next steps toward circulation of the registration-document not only to all the members of the Sub-Committee, but also to all the Information Commissions so as to start enrolling them for membership of the Federation.

Shri C. D. Arha mentioned that the Chief Information Commissioner, Shri Habibullah had suggested that the communication regarding the establishment of the Federation should go from the Central Information Commission to the State Information Commissions. He requested Shri B. B. Shrivastav to do the needful in this regard.

At this point, Shri K. K. Mishra pointed out that the Executive Committee of the federation would have to meet once every 3 months, in which case it would be apt for the newly-registered entity to have its first meeting planned some time before or after the 2-day Annual Convention in coming October. Subscription of other members is not needed for now.

The Executive Committee as mentioned in the Registration document could meet and subscription for other members could be opened immediately after the first meeting. Meanwhile, copies of the document as registered could be circulated among the prospective members and this could be done by the Central Information Commission. Later he mentioned that the first meeting could be attended only by the members of the Executive Committee and some special invitees.

The Sub-Committee approved the detailed reports as prepared for ToR 1 to ToR 6 and in token of their approval appended their signature in a letter to be handed over to the Chief Commissioner, CIC. Formal handing over will be done after the after convenience of the Chief Commissioner, CIC has been obtained.

Note: Soft / hard copies of 1) Registration certificate of the Society, 2) the legal opinion sought by CGG, Hyderabad; 3) Shri P. S. Rana's comments, 4) Memorandum of Association; 5) Byelaws and 6) Rules and Regulations have been separately provided.
