

**Disclosure of Information is subject to exemptions
under Section 8(i)(j) and Section 10(i) of the RTI Act,
2005.**

Government of India
Ministry of Personnel, Public Grievances and Pensions
(Department of Personnel and Training)
IR Division

Subject: - Appointment of Chief Information Commissioner and Information Commissioners in the Central Information Commission.

The Government has constituted the Central Information Commission in exercise of the powers under Section 12 (1) of the Right to Information Act, 2005. As per sub-section (2) of Section 12 of the Act, the Commission shall consist of one Chief Information Commissioner and such number of Central Information Commissioners, not exceeding 10, **as may be deemed necessary**. At present there is one Chief Information Commissioner and seven Information Commissioners in the Central Information Commission.

2. The present Chief Information Commissioner of the Central Information Commission, Shri Vijai Sharma, will be completing his tenure on 1.12.2015. Action is required to be initiated for appointment of a new Chief Information Commissioner in his place and if deemed necessary, three more Information Commissioners could be appointed.

3. As per Section 12(5) of the RTI Act, the Chief Information Commissioner and Information Commissioners shall be persons of eminence in public life with wide knowledge and experience in law, science and technology, social service, management, journalism, mass media or administration and governance. Section 12(6) of the Act provides that the Chief Information Commissioner or an Information Commissioner shall not be a Member of Parliament or Member of the Legislature of any State or Union Territory, as the case may be, or hold any office of profit or connected with any political party or carrying on any business or pursuing any profession.

4. Section 13 (1) of the Act provides that the Chief Information Commissioner shall hold office for a term of 5 years from the date on which he enters upon his office and shall not be eligible for reappointment. It has been further provided that no Chief Information Commissioner shall hold office as such after he has attained the age of sixty-five years.

5. Section 12 (3) of the Act stipulates that the Chief Information Commissioner shall be appointed by the President on the recommendation of a Committee consisting of:-

- (i) The Prime Minister, who shall be the Chairman of the Committee;
- (ii) The Leader of Opposition in the Lok Sabha; and
- (iii) A Union Cabinet Minister to be nominated by the Prime Minister.

5.1 Further, as per explanation below Section 12(3) of the RTI Act, 2005, for the purposes of removal of doubts, it is hereby declared that where the leader of the Opposition in the House of the People has not been recognised as such, the Leader of the single largest group in opposition of the Government in the House of the People shall be deemed to be the leader of opposition.

6. Based on the explanation below Section 12(3), para 5.1 above, Department of Legal Affairs, during selection process of CIC and IC in June 2015, clarified that the Leader of the Single Largest Party in the Lok Sabha can be considered as the Leader of Single Largest Group in opposition in Lok Sabha. Department of Legal Affairs, however, added that the clarification was limited for the purpose of Section 12(3) of the RTI Act and not for any other purpose. Accordingly, Shri Mallikarjun Kharge was member of the Committee constituted under Section 12(3) of the RTI Act, 2005.

p/c

7. Last time the Committee under Section 12(3) consisted of following

- (i) Hon'ble Prime Minister – Chairman
- (ii) Shri Mallikarjun Kharge - Leader of the Single Largest Party in the Lok Sabha-Member; and
- (iii) Shri Arun Jaitley – the then, Minister for Finance, Corporate Affairs and Defence - Member

p/c

8. For appointment of Chief Information Commissioner, the earlier practice (except last time) had been that CIC was appointed from amongst the existing ICs. During the initial appointment of Chief Information Commissioner, the name of Shri Wajahat Habibullah was recommended by the Selection Committee for the position of Chief Information Commissioner. At the time when selection of the Chief Information Commissioner was to be made in September, 2010, the Commission had passed a resolution to the effect that the Chief Information Commissioner should be selected from amongst the Information Commissioners. Although, no formal decision was taken on the resolution on that occasion, subsequent appointments of Chief Information Commissioners, Shri A.N. Tiwari, Shri Satyanand Mishra, Smt. Sushma Singh and Shri Rajiv Mathur were made from the existing Information Commissioners in the Central Information Commission.

p/c

8.1 However, during the selection of CIC last time (appointment made in June, 2015) Prime Minister's Office had desired that for the sake of consistency and uniformity in approach, the procedure for selection of Information Commissioners which includes among other things advertising the post and short listing by a Search Committee may be adopted for appointment to the post of Central Information Commissioner as well. The Search Committee consisted of the following:-

p/c

- (i) Cabinet Secretary - Chairman
 - (ii) Addl Principal Secretary to PM - Member
 - (iii) Secretary (Personnel) - Member
 - (iv) Home Secretary - Member
 - (v) Secretary D/o Expenditure - Member
 - (vi) Professor Ramesh.Chand - Member
- Director National Center for Agricultural Economics and Policy (NCAP)

p/c

9. On the basis of recommendations of the Search Committee, IB report and Vigilance Clearance from the respective Cadre Controlling Authorities, wherever applicable, of the shortlisted candidates, a Chief Information Commissioner and an Information Commissioner was appointed in CIC in June, 2015. Incidentally, Shri Vijai Sharma who was appointed as Chief Information Commissioner was an Information Commissioner in the CIC from 1.3.2012 to 9.6.2015.

10. The details of existing Chief Information Commissioner and Information Commissioners in the Central Information Commission, as on date is as under:

Sl.No.	Name	Date of Birth	Date of Appointment	Date of completion of tenure	Field of Excellence
1.	Shri Vijai Sharma IAS, UP Chief Information Commissioner <i>(IC from 01.03.2012 to 09.06.2015)</i>	02.12.1950	10.06.2015	01.12.2015	Administration
2.	Shri Basant Seth Banker	16.02.1952	01.03.2012	15.02.2017	Management
3.	Shri Yashvardhan Azad IPS, M.P.	12.03.1954	22.12.2013	21.12.2018	Administration
4.	Shri Sharat Sabharwal IFS	23.09.1952	22.12.2013	22.09.2017	Administration
5.	Ms. Manjula Prasher IPoS	16.01.1953	22.12.2013	15.01.2018	Administration
6.	Shri M.A. Khan Yusufi ILS	01.01.1952	22.12.2013	31.12.2016	Law
7.	Shri Madabhusi Sridhar Acharyulu Professor, Law	10.01.1956	22.12.2013	21.12.2018	Law
8.	Shri Sudhir Bhargava IAS, RJ	12.01.1955	11.06.2015	11.01.2020	Administration

11. A total of 39328 appeal/complaints are pending for disposal in Central Information Commission as on 10.8.2015.

12. Decision of Hon'ble Prime Minister is solicited on the following points:

- (i) Whether the Chief Information Commissioner is to be appointed through the process of advertisement, shortlisting by Search Committee etc. or from amongst the existing Information Commissioners by the Committee constituted under Section 12(3) of the RTI Act?
- (ii) Whether to appoint more Information Commissioners in the CIC?
- (iii) Composition of Search Committee.
- (iv) The name of Union Cabinet Minister to be nominated as member of the Committee to be constituted under Section 12(3) of the RTI Act.

Submitted please.

(R.K. Girdhar)
US (RTI)
11.08.2015

~~DS (IR)~~

@/08a
12/8/15

JSCDC

Matter pertains to initiating the process for selection of one Chief Information Commissioner and two Information Commissioners in the Central Information Commission.

2. In this regard, Hon'ble Prime Minister has desired that a process may be initiated in August, 2015. Accordingly, a self-contained note (Pp-1-4/n) and the linked file may be perused which describes the legal provisions and the procedure followed last time.

3. It may be pertinent to mention that Shri Vijai Sharma, Chief Information Commissioner is completing his tenure on 1.12.2015. In addition, as per the RTI Act, the number of Information Commissioners could be upto 10, as deemed necessary. Presently, there are 7 Information Commissioners in place, details of whom are given at page 3/n. File is put up for seeking Hon'ble Prime Minister's approval on the following:-

(a) As per the past policy, the Chief Information Commissioner may be appointed through the process of advertisement, shortlisting by Search Committee and recommendations of Committee chaired by Hon'ble PM.

(b) We may also initiate the process for selecting more (upto 3) Information Commissioners also so that the Commission is constituted in full strength.


(c) In the previous selection process, Hon'ble Union Finance Minister was nominated in the Committee chaired by the Hon'ble Prime Minister. The Hon'ble Prime Minister may nominate a Union Cabinet Minister for the Committee.

(d) The Search Committee headed by Cabinet Secretary for shortlisting the panel for CIC and IC constituted earlier may be approved as follows:

(i)	Cabinet Secretary	Chairman
(ii)	Additional Principal Secretary to PM	Member
(iii)	Secretary (Personnel)	Member
(iv)	Secretary (I&B)	Member
(v)	Law Secretary	Member
(vi)	Professor Ramesh Chandra, Director, National Centre for Agricultural Economics & Policies	Member

(e) If agreed, the process of selection for the CIC and IC (including the advertisement) may be carried out together. Advertisements issued last time are placed at pp-7-16/corr. This time also the advertisement will be more or less on the similar lines. However, slight modifications will be done to address the difficulties which were faced in the last selection process.

4. Submitted for taking approval para 3(a) to (e) above.


(Devesh Chaturvedi)

JS (DC)

13.8.2015

Secretary (I) May kindly see the note from pp 1.

mumedi. May kindly approve para 3 (a) to (e)

so that the selection can be done well before the
due date.

Secy
Sanjay Kulkarni
16/8/15

MOS (PP)
1/4/15-8-15
Prime Minister

Addl. Secy

PRIME MINISTER'S OFFICE

South Block,
New Delhi – 110 011

Subject: Appointment of Chief Information Commissioner and Information Commissioners in Central Information Commission.

Reference is invited to DoPT's note dated 16.08.2015 at page 1-6/N of file No. 4/2/2015-IR on the subject cited above.

2. Prime Minister has approved the following proposals of DoPT:

- (a) as per the past policy, the Chief Information Commissioner may be appointed through the process of advertisement, short listing by Search Committee and recommendations of Committee chaired by Prime Minister.
- (b) the process for selecting more (upto 3) Information Commissioners may also be initiated so that the Commission is constituted in full strength.
- (c) nomination of Union Finance Minister on the Selection Committee.
- (d) constitution of a Search Committee headed by Cabinet Secretary and with the following composition for short listing the panel for CIC and IC:

(i) Cabinet Secretary	-	Chairman
(ii) Additional Principal Secretary to PM	-	Member
(iii) Secretary (Personnel)	-	Member
(iv) Secretary (I&B)	-	Member
(v) Law Secretary	-	Member
(vi) Prof. Ramesh Chandra, Director, National Centre for Agricultural Economics & Policies	-	Member
- (e) the process of selection for CIC and IC (including the advertisement) be carried out together.

3. DoPT's file/folder No. 4/2/2015-IR alongwith one another file is returned herewith.


(V. Sheshadri)
Director

Tel. No. 2301 3485

Secretary, Department of Personnel & Training

PMO ID no. : 600/52/C/1/2015-ES.2

Dated. 28.08.2015

Immediate acknowledgement.

DA
31/8/15 JS
US (RTD) DS (TR)
By 11/08/15
31/8/15

W
31/8/15

See
31/8/15

I/3801590/15

IR Division

Subject: - Appointment of Chief Information Commissioner and Information Commissioners in the Central Information Commission.

Reference – FR. [p 7/N]

PMO vide ID no. 600/52/C/1/2015-ES.2 dated 28.8.2015 has conveyed the approval of Hon'ble Prime Minister for the following: -

(i) As per the past policy, the Chief Information Commissioner may be appointed through the process of advertisement, short listing by Search Committee and recommendations of Committee chaired by Prime Minister.

(ii) The process for selecting more (upto 3) Information Commissioners may also be initiated so that the Commission is constituted in full strength.

(iii) Nomination of Union Finance Minister on the Selection Committee.

(iv) Constitution of a Search Committee headed by Cabinet Secretary and with the following composition for short listing the panel for CIC and IC:

- | | | |
|------------------------------------|---|----------|
| i. Cabinet Secretary | - | Chairman |
| ii. Addl Principal Secretary to PM | - | Member |
| iii. Secretary (Personnel) | - | Member |
| iv. Secretary (I&B) | - | Member |
| v. Law Secretary | - | Member |
| vi. Professor Ramesh Chandra | - | Member |

Director National Center for Agricultural Economics and Policy (NCAP)

(V) The process of selection for CIC and IC (including the advertisement) be carried out together

2. Following difficulties were faced in the selection process of Chief Information Commissioner and Information Commissioner during the appointments made in June, 2015

A. Against the advertisement for the post of Chief Information Commissioner and Information Commissioners, a total of 203 and 553 applications respectively were received. The applications were tabulated separately for the post of Chief Information Commissioner and Information Commissioner, which involved a lot of duplicacy of work.

B. It was mentioned in the advertisement that the applicants serving under the State/Central Government or any other Organization may send their particulars through proper channel. Some of the applicants working in organization, Central/State did not send their applications through proper channel, some sent it through administrative Ministry and some through their Cadre Controlling Authority. Some applicants sent advance copy of their applications but their applications were never received through proper channel or were received after the last date.

C. Difficulty was also faced in providing inputs to the Search Committee regarding years of experience of the applicants at higher position. The Higher position need to be decided for the applicants serving in Govt./private sector and others.

D. Two cases had come to light in which the applicants claimed that their applications was received in DoPT well in time [one of them produced evidence of speed post delivery report] but as per the record and stamp of CR section of DoPT much the applications were received after the last date and their applications were not considered by the Search Committee.

3. **Suggested solutions**

(i) There could be a single advertisement inviting applications for the post of Chief Information Commissioner/Information Commissioner (without any option, as the eligibility for both the posts is same).

(ii) The Search Committee may make different panels for the posts of Chief Information Commissioner/Information Commissioners from single list of applications based on their own methodology.

(iii) It may be clarified in the advertisement itself that no advance copy of the application would be accepted and only those applications would be considered which are received through Administrative Ministry/Department within the due date.

(iv) The experience column in the application format may be revised to provide for breakup of experience at each level of post held by the applicant.

4. As per past practice, advertisement is given in the newspaper giving a reference of circular uploaded on the website of this Department. Last year's advertisement and circular may be seen at Flag - A.

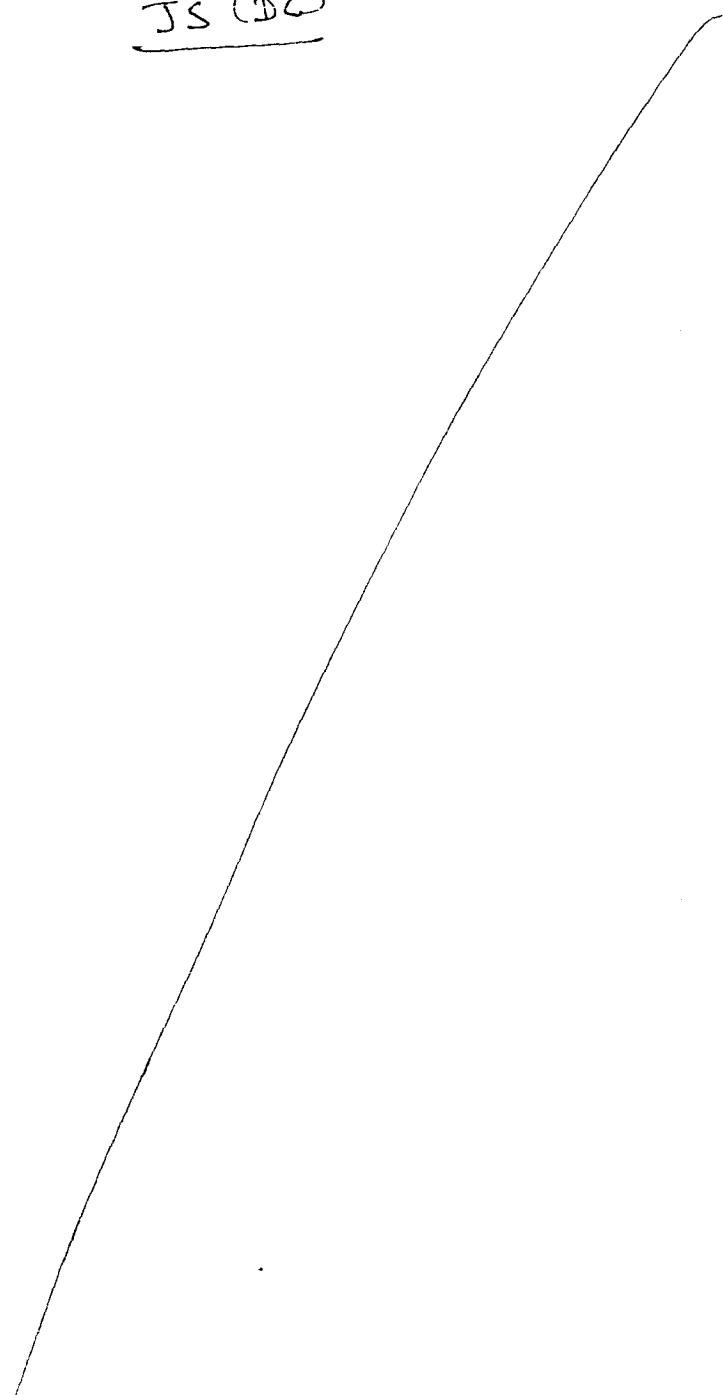
5. If the suggested solutions in para 3 above are approved, the format of the proposed circular and advertisement are placed below for approval.

Submitted.



(G. S. Arora)
DS (IR)
31.08.2015

JS (DC)



May peruse the pre-note.

2. As per the approval of the Prime Minister, the advertisement inviting applications for CIC/IC has to be issued. In this regard suggested proposal on page 9/n in para 3 may be perused. The suggestions given in para 3 may be accepted with following modifications:

- (i) The option may be given to the applicant whether he/she wants to be considered for the post of CIC/IC/both and there should be a single application.
- (ii) Not accepting an advance copy and insisting application through on proper channel before the due date may lead to several deserving candidates becoming disqualified due to delays in Ministries/States. Therefore, it may be clearly specified that as far as possible the applications should be submitted within time limit through proper channel. However, the applicants may submit their application as advance copy within stipulated time. Application through proper channel by administrative Ministry/Department/ State Government should follow and be made available for it to be considered.
- (iii) The work experience be asked on a format for convenience.
- (iv) It is also proposed that last date of acceptance of application may be kept as 15.10.2015.

3. The proposal submitted for approval please before the advertisement (as per draft) is issued.

(Signature)
 1/9/15
 (Devesh Chaturvedi)
 Joint Secretary (DC)

Secretary (P) Discussed. We approved as proposed but I was told that last time we had given one month's time and we may give the same time. ROS(PA) may kindly see.

(Signature)
 2/9/15
 Sanjay Kothari
 Secretary (P)

(Signature)
 4/9/15
 US(RTI)

ROS(PA)

(Signature)
 2/9/15

(Signature)
 SECRETARY (P)

(Signature)
 4/9/15

Department of Personnel & Training
IR Section

The present Chief Information Commissioner in the Central Information Commission, Sh. Vijai Sharma will be completing his tenure on 01.12.2015. It has been decided to appoint a new Chief Information Commissioner in his place and also to appoint more (upto three) Information Commissioners in the Central Information Commission. It has also been agreed, as per past practice to invite particulars of interested persons, through advertisement to fill up these posts. It has also been agreed to give advertisement in four newspapers viz. the Hindu and the Times of India, in English and Dainik Bhaskar and Hindustan in Hindi and in all their editions in India. Earlier such advertisement were being given in three news paper viz. the Hindu and the Times of India, in English and Dainik Bhaskar in Hindi.

2. Directorate of Advertising and Visual Publicity (DAVP) has given the estimated cost for releasing the Press advertisement in four dailies as **Rs.4,12,782/-**.

3. We may seek the concurrence of IFD before issuing the Letter of Authority (LAO) to the DAVP.

4. The expenditure will be debitible to Major Head 2052- Secretariat General Service – 00.090- Secretariat (Minor Head) – 05 – Ministry of Personnel, PG & Pensions – 05.01- Department of Personnel & Training – 05.01.26 – Advertising and Publicity - Demand No. 73 under Non-Plan for the year 2015-16.

5. Before seeking the concurrence of IFD, kind approval of JS(DC) is solicited for issuing LOA of an amount of Rs.4,12,782/- in favour of DAVP.

F/A
18.09.2015

Mans
08/9/15

~~DS (IR)~~

~~JS(DC)~~

Handwritten signature and date 8/9

Handwritten signature and date 08/09/2015

Handwritten signature and date 8/9/15

G. S. ARORA
DS (IR)

389/APA (Pus)
14/9/2015

~~CA (Home)~~

Handwritten signature and date 14.09.15

AFA (Pus)

14.9.15

S

Ministry of Home Affairs
AFA (Pers.) Branch

Through this file, IR Division DoPT is seeking the concurrence of IFD for incurring expenditure of Rs.4,12,782/- for issue of LOA to DAVP on account of the estimated cost for releasing press advertisement in four dailies for the purpose of filling up the post of Chief Information Commissioner & 3 more Information Commissioner, CIC. (the present CIC will be completing his tenure on 01.12.2015).

2. The proposal for issuing the advertising has been received with the approval of MoS(PP).
3. Before processing further, DoPT may clarify the following:-
 - (i) Fund availability in prescribed proforma.
 - (ii) The estimates (page.22-26/C) attached to the mail do not specify the source to be DAVP.
4. If approved, we may return the file.

[Signature]
24.9.15
(Smt.S.B. Nanda)
AFA(Pers.)

~~CA(H)~~

yes pls.

[Signature]

28.09.15

AFA (Pers.)

28/9/15

US (IR) DoPT

[Signature]
28/9/15

SO (IR) was

May like to Apk to office in DAVP to send the estimates on official letter

pl. discuss.

[Signature]
29/9/15

DS (IR)

SO (IR)

Discussed. DS (IR) will Apk to Ameen in DAVP to avoid delay. File re-submitted.

[Signature]
30/9/15

for you
fin
US (R71)
[Signature]
28/9/15

follow

Subject:- Appointment of Chief Information Commissioner and more Information Commissioners in Central Information Commission

The issue on this file relates to appointment of Chief Information Commissioner and more (upto three) Information Commissioners in the Central Information Commission.

Rule Position

2. As per section 12 (2) of the Act, the Central Information Commission shall consist of the Chief Information Commissioner and such number of Central Information Commissioners, **not exceeding ten**, as may be deemed necessary.

3. As per Section 12(5) of the RTI Act, 2005, the Chief Information Commissioner and Information Commissioners shall be persons of eminence in public life with wide knowledge and experience in "*law, science and technology, social service, management, journalism, mass media or administration and governance.*"

Incumbency Position

4. At present the Central Information Commission has a Chief Information Commissioner assisted by seven Information Commissioners. The tenure of present Chief Information Commissioner, Shri Vijai Sharma will be over on 01.12.2015.

Appointment of Chief Information Commissioner and Information Commissioners

5. PMO vide ID no. 600/52/C/1/2015-ES.2 dated 28.08.2015 has conveyed the approval of the Prime Minister for following:

- (a) as per the post policy, the Chief Information Commissioner may be appointed through the process of advertisement, short listing by Search Committee and recommendations of Committee chaired by Prime Minister.
- (b) the process for selecting more (upto 3) Information Commissioners may also be initiated so that the Commission is constituted in full strength.
- (c) nomination of Union Finance Minister on the Selection Committee.
- (d) Constitution of a Search Committee headed by Cabinet Secretary and with the following composition for short listing the panel for CIC and IC:

(i)	Cabinet Secretary	Chairman
(ii)	Additional Principal Secretary to PM	Member
(iii)	Secretary (Personnel)	Member
(iv)	Secretary (I&B)	Member
(v)	Secretary (Law)	Member
(vi)	Prof. Ramesh Chandra , Director, National Centre for Agriculture Economics & Policies	Member

(e) the process of selection for CIC and IC (including the advertisement) be carried out together.

5. Accordingly, an advertisement inviting particulars of interested persons for the post of Chief Information Commissioner and more Information Commissioners in the CIC was published on the website of this Department on 09.09.2015 and also in all editions of 2 English newspapers (Times of India and the Hindu) and two Hindi newspaper (Dainik Bhaskar and Hindustan). **The last date for receipt of applications was 12.10.2015.** A total of **341** applications have been received.


6. All these 341 applications have been broadly categorised into 7 categories of knowledge and experience, as per Section 12(5) of the RTI Act, reproduced in para 3 above. Few applications which do not fall within these 7 categories, have been mentioned in "others" category. For the sake of categorisation, only the main field of knowledge and experience have been mentioned. Tabulated details on the basis of such categorisation is placed opposite.

F/A

7. The category-wise distribution of these applications is as under:-

Category	No. of applications		
	CIC	IC	Both
Law	2	26	24
Science & Technology	2	11	17
Social Service	1	14	7
Management	1	15	18
Journalism	0	12	5
Mass Media	0	7	4
Administration and Governance	5	67	93
Others	0	5	5
Total	11	157	173
Total No. of Applications	341		

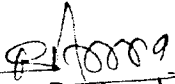
7. PMO is requested to kindly consider re-constitution of Search Committee by nominating any other member in place of Sh. P.K. Malhotra, Law Secretary.


(R.K. Girdhar) 14/10/2015
US - RTI / 14.10.2015


DS (IR)

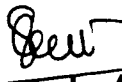
JS (DC)

Penal may be pursued
para 7 alone for consideration
and decision of Hon'ble Minister


14/10/15
DS (IR)

Secretary (P)


14/10/15
Joint Secretary


15/10/15
Sanjay Kothari
Secretary (P)

MOs (PP)

7/10/15
Premie Khera

Adcl. Secy

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p 7/ank
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✓ p 8/c.
A p' | c

6. While screening the applications for the post of Chief Information Commissioner/ Information Commissioners, it has come to the notice that a number of serving Secretaries to Govt. of India have applied for the advertised posts. The name of such Secretaries are Sh. Divya Prakash Sinha, Secretary [Security], Cabinet Secretariat; Sh. S. Srinivasan, Secretary, Deptt. of Space/Atomic Energy/Earth Sciences; Sh. Sanjay Kumar Panda, Secretary Textiles; Sh. Surjit K. Choudhary, Secretary, Deptt. of Chemicals & Petrochemicals ; Sh. Lov Verma, Secretary, Department of Persons with Disabilities; Sh. Amitava Bhattacharyya, Chairman, UPSC; Sh. Ranglal Jamuda, Secretary, M/o Food Processing Industries; Sh. Afzal Amanullah, Secretary, M/o Parliamentary Affairs; Smt. Anita Agnihotri, Secretary, D/o Social Justice & Empowerment; Sh. P.K. Malhotra, Secretary, D/o Legal Affairs; Smt. Nandita Chatterjee, Secretary, M/o Housing & Urban Poverty Allevation; Sh. Anup K. Pujari, Secretary, MSME; and Sh. Ashim Khurana, Secretary, UPSC. **One of the applicants, Shri P.K. Malhotra, Law Secretary, is also the member of the Search Committee.**

8. While screening the applications for the post of Chief Information Commissioner/ Information Commissioners, it has come to the notice that a number of serving Secretaries to Govt. of India have applied for the advertised posts. The name of such Secretaries are Sh. Divya Prakash Sinha, Secretary [Security], Cabinet Secretariat; Sh. S. Srinivasan, Secretary, Deptt. of Space/Atomic Energy/Earth Sciences; Sh. Sanjay Kumar Panda, Secretary Textiles; Sh. Surjit K. Choudhary, Secretary, Deptt. of Chemicals & Petrochemicals ; Sh. Lov Verma, Secretary, Department of Persons with Disabilities; Sh. Amitava Bhattachararyya, Chairman, SSC; Sh. Ranglal Jamuda, Secretary, M/o Food Processing Industries; Sh. Afzal Amanullah, Secretary, M/o Parliamentary Affairs; Smt. Anita Agnihotri, Secretary, D/o Social Justice & Empowerment; Sh. P.K.Malhotra, Secretary, D/o Legal Affairs; Smt. Nandita Chatterjee, Secretary, M/o Housing & Urban Poverty Allevation; Sh. Anup K. Pujari, Secretary, MSME; and Sh. Ashim Khurana, Secretary, UPSC. **One of the applicants, Shri P.K. Malhotra, Law Secretary, is also the member of the Search Committee.**

9. Accordingly a part file has been submitted separately requesting PMO to kindly consider re-constitution of Search Committee by nominating any other member in place of Sh. P.K. Malhotra, Law Secretary.

10. Pending re-constitution of Search Committee and date for the meeting of Search Committee thereof by the Cabinet Secretary, a tabulated statement with particulars of all the applicants is placed below for perusal.

R/A
A

(Signature)

(R.K. Girdhar)

US - RTI / 15.10.2015

DS (IR) All the seven serving Information Commissioners in CIC have also applied for the post of CIC.
2. 'A' above is for ~~approval~~ perusal please.

JS(DC)

(Signature)
16/10/15

May peruse the pre-note.
As mentioned in para 9, above, the file has been separately submitted to hon'ble Home Minister.
The file is put up for seeking view of

→ - 20 -

Cabinet Secretary to convene the meeting of Search Committee. Suitable and convenient date and time be given (with atleast one weeks notice period)

Recd on 15/10
8/6
19/10

Secretary (P)

[Signature]
16/10/15
Dr. GANESH CHANDRAN
Joint Secretary

The last date for applying CIC/IC was

12th Oct 2015 and in the last selection committee meeting of CIC and IC, it was decided to finalise ^{the process} it by Nov end as the present incumbent retires on 2nd Dec 2015.

May kindly give a suitable date and time for the meeting.

CS-14828/15
20/10/15

~~Cabinet Secretary~~

[Signature]
19/10/15
Joint Secretary (P)

Meeting will be held on 29.10.2015 at 5.30 pm.

Pl. check

[Signature]
19/10
JS(Ac)

[Signature]
20/10

Secretary (Personnel)
JS(DC)

[Signature]
20/10/15
V.P.T.B

-18-
-21-

The issue was discussed with Sr. Divyaj.
Meeting fixed for 2/11/15 5:30. Pls
take action.

DSLIRK

US (RTI)

SG (RTI)

WED
21/10/15

@10089
21/10/15

Reference note on page 14-18/ante.

2. The meeting of the Search Committee for selection of Chief Information Commissioner and Information Commissioners in the Central Information Commission is scheduled to be held on 2nd November, 2015 at 5.30 p.m.

3. PMO had approved the constitution of a Search Committee headed by Cabinet Secretary and with the following composition for short listing the panel for CIC and IC:

(i)	Cabinet Secretary	Chairman
(ii)	Additional Principal Secretary to PM	Member
(iii)	Secretary (Personnel)	Member
(iv)	Secretary (I&B)	Member
(v)	Secretary (Law)	Member
(vi)	Prof. Ramesh Chandra , Director, National Centre for Agricultural Economics & Policies	Member

4. One of the applicants, Shri P.K. Malhotra, Law Secretary, is also the member of the Search Committee. Accordingly a part file has been submitted separately requesting PMO to kindly consider re-constitution of Search Committee by nominating any other member in place of Sh. P.K. Malhotra, Law Secretary, which is yet to be received from PMO.

5. As such, Agenda Note for selection of Chief Information Commissioner and Information Commissioners in the Central Information Commission has been prepared and placed below for approval please.

6. If approved, we may circulate the Agenda Note along with the tabulated version of list of applicants to other five members, except Law Secretary.

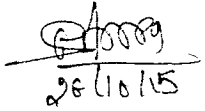


(M.M. Maurya)

US(IR)

26.10.2015

JS(S/R) Prof. It is informally learnt that ~~Shri~~ Ramesh Chandra is presently not holding the post of Director, National Centre for Agricultural Economics & Policies. We may therefore, circulate the Agenda Note along with the Tabulated Sheet of list applicants to the Chairman and other members of Search Committee at se. No. (i) to (iv) at Para 3 above. For approval of Secy (P) please.



26/10/15

JS(S/C)

The draft agenda may be

approved. It will be circulated to
Cabinet Secy / Secy (F2B) / ADs to PM and Secy (PFI).

Regarding 3(v) & 3(vii), it will be circulated
once the PM approves the new members

WJ
26/10/15

~~Secretary (P)~~

~~Secy~~
26/10/15

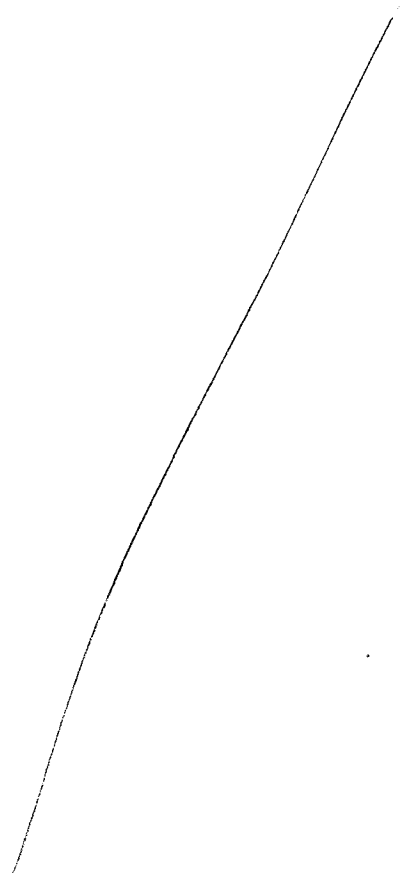
~~JS (DC)~~

WJ
26/10

~~DSQR~~

~~PT~~
26/10/15

US (IR)



Meeting Notice for the Search Committee to be held on 2.11.2015, along with the Agenda Note may be issued.

USCIR

SO(RTI)

M. Jagan
27/10/15

@Aso89
27/10/15

Colo. Secy. has been informed that the meeting of Search Committee, schedule to be held on 02.11.2015, will now be held on 05.11.2015 at 7.00 P.M. A meeting notice, accordingly is placed below for approval and signature.

mpm
02.11.2015

USCIR

USCIR

SO(RTI)

M. Jagan
21/11/15

@Aso89
2/11/15

The meeting have been further postponed and will now be held on 10.11.2015 at 11.30 A.M. A fresh meeting notice is placed below.

mpm
04.11.2015

USCIR

USCIR

SO(RTI)

M. Jagan
04/11

@Aso89
4/11/15

Reference FR. (Pg 53/100)

4
Page-51/100

2. PMO had approved constitution of the Search Committee with the following composition for short listing the panel for appointment to the posts of CIC and IC:

(i)	Cabinet Secretary	Chairman
(ii)	Additional Principal Secretary to PM	Member
(iii)	Secretary (Personnel)	Member
(iv)	Secretary (I&B)	Member
(v)	Secretary (Expenditure)	Member
(vi)	Dr. Manoj Panda, Director, Institute of Economic Growth, Delhi University	Member

3. Shri Sunil Arora, Secretary (I&B) has informed that the elder brother of his wife is also one of the candidates for the post of CIC/IC and therefore, requested to recuse himself from the Committee.

4. Accordingly PMO may be requested to consider re-constitution of Search Committee by nominating any other member in place of Sunil Arora, Secretary (I&B).

M.M. Maurya

(M.M. Maurya)
US(IR)
31.10.2015

~~DS(IR)~~

JS(De)

File submitted on decision based on facts mentioned at para 3 & 4 above.

Secretary (P)

MOS(PP)

1/11/15
3.11.15

Prerme Menesle

@Arora

31/10/15

G. S. ARORA
DS(IR)

Senjay Kothari
31/11/15

Senjay Kothari

2/11/15
Senjay Kothari
Secretary (P)

Addl. Secy

Meeting of the Selection Committee has been fixed for 11-12-2015 (Friday) at 4.P.M. However, the venue of the meeting has not been decided and will be informed shortly.

A Meeting Notice has been attempted and placed below for circulation of to the members of the Selection Committee.

MVA
30/11

DS(SF)

010089
30/11/15

JS(DC)

May please
before the agenda is circulated
W
30/11/15

Secy (P)

Approved as amended

Secy
30/11/15

JS(DC) W
30/11/15

DS(IR)

As directed we may intimate Members of the Selection Committee about venue of the meeting to be held in Room No. PH10, Parliament House, New Delhi. DfA please.

DS(SF)

010089
9/12/15

MVA
09/12

JS(DC)

W
9/12/15

-23- - 27-

The second meeting of the Selection Committee has been scheduled to be held on 16.12.15 (Wed) at 5-00 PM in PH 10, Parliament House. Accordingly a meeting notice has been attempted to circulate amongst the members of the committee. DFA please.

DS(DP)

JS(DC)

W
11/12

11/12/15
0000
11/12/15

F. No. 4/2/2015-IR
Government of India
Ministry of Personnel, Public Grievances and Pensions
(Department of Personnel and Training)

Subject: Appointment of Chief Information Commissioner in the Central Information Commission

In exercise of the powers conferred by sub section (1) of section 12 of Right to Information Act, 2005, the Central Government has constituted the Central Information Commission. As per sub section (2) of section 12 of the Act, the Commission shall consist of the Chief Information Commissioner and such number of Central Information Commissioners not exceeding ten, as may be deemed necessary. The vacancy of Chief Information Commissioner has arisen as Shri Vijai Sharma has demitted office on 01.12.2015. At present, there are seven Information Commissioners.

2. As per Section 12 (5) of the Act, the Chief Information Commissioner and Information Commissioners shall be persons of eminence in public life with wide knowledge and experience in law, science and technology, social service, management, journalism, mass media or administration and governance.

3. As per Section 13(1) of the Act, the Chief Information Commissioner shall hold office for a term of five years from the date on which he enters upon his office and shall not be eligible for reappointment:

Provided that no Chief Information Commissioner shall hold office as such after he has attained the age of sixty-five years.

4. According to sub-section (3) of Section 12 of the Act, the Chief Information Commissioner and the Information Commissioners shall be appointed by the President on the recommendation of a committee consisting of:

- i. The Prime Minister, who shall be the Chairperson of the committee;
- ii. The Leader of Opposition in the Lok Sabha ; and
- iii. A Union Cabinet Minister to be nominated by the Prime Minister.

5. Accordingly the Committee was constituted with the Prime Minister, as Chairperson, Shri Mallikarjun Kharge, Leader of the single largest Party in Opposition in the Lok Sabha and Shri Arun Jaitley, Minister of Finance.

6. A Circular dated 9.9.2015 seeking applications from interested persons for the post of Chief Information Commissioner and Information Commissioners in the Central Information Commission was posted on the website of DoPT on 9.9.2015 after approval of the competent authority. Advertisement was also published in The Hindu and Times of India in English, Dainik Bhaskar and Hindustan in Hindi in all its editions in India on 9.9.2015. The last date of receiving applications was 12.10.2015.

6.1 A total of 341 applications (11 for CIC, 157 for IC and 173 for both posts of CIC and IC) had been received by the last date for the posts of CIC and ICs.

6.2 It is pertinent to mention that in the last process for selection of Chief Information Commissioner and Information Commissioners initiated on 17.02.2014, a writ Petition(C) 3386 was filed by R.K. Jain & ors. v/s Union of India in Public Interest under Article 226 of the Constitution of India before High Court of Delhi. After hearing both the sides on 21.5.2015, the Hon'ble Court reserved the matter for orders. Meanwhile the process of selection initiated in February, 2014 was concluded with appointment of Mr. Vijai Sharma as Chief Information Commissioner on 10.06.2015 and Shri Sudhir Bhargava as Information Commissioner on 11.06.2015.

6.3 The case was re-notified and came up for hearing on 09.10.2015. After hearing the arguments, the Court has pronounced its order on 6.11.2015 in WP(C) 3386 (**Flag A**) and has given following directions:

(i) The selection process that had commenced vide Notifications dated 25.02.2014 and 16.07.2014 shall be finalized within six weeks from today and the three vacancies of Information Commissioners existing as of today shall be filled up from amongst the 553 applications that were received in response to the said two notifications.

(ii) The selection process pursuant to the Circular dated 09.09.2015 shall be confined for selection and appointment of the Chief Information Commissioner in the vacancy that would arise w.e.f. 02.12.2015 and one Information Commissioner which is likely to arise w.e.f. 02.12.2015.

6.4 Opinion of Learned AG has been obtained with regard to direction of Hon'ble High Court of Delhi as mentioned at para 2.3 (i)&(ii) above and Ld. AG has opined that an SLP may be preferred only in regard to direction (i) since direction (ii) is in order and no challenge is required. **(Flag B)**

p. 112/1007

7. Prime Minister on 26.10.2015 had approved re-constitution of a Search Committee for the present round of selection process, as given below:-

- | | | | |
|-------|--|---|----------|
| (i) | Cabinet Secretary | - | Chairman |
| (ii) | Additional Principal Secretary to Prime Minister | - | Member |
| (iii) | Secretary (Personnel) | - | Member |
| (iv) | Secretary (I&B) | - | Member |
| (v) | Secretary D/o Expenditure | - | Member |
| (vi) | Dr. Manoj Panda | - | Member |
- Director, Institute of Economic Growth, Delhi University

8. The Search Committee under the Chairmanship of Cabinet Secretary met on 10.11.2015 and 16.11.2015 and shortlisted candidates for the post of Chief Information Commissioner and Information Commissioner, keeping in view the direction of Hon'ble High Court of Delhi dated 6.11.2015 and legal opinion of Ld. AG in the matter.

9. Meetings of the Committee were held at 4.00 pm on 11.12.2015 and at 5.00 pm on 16.12.2015. Agenda note of the meeting is at **Flag 'C'**. During the meeting the Committee perused the agenda including the details of the above mentioned officers along with their vigilance profile. Notwithstanding the short-listing done by the search committee, the Committee considered all eligible applicants who applied in response to advertisement made on 09.09.2015 for the post of Chief Information Commissioner.

4
p. 1-5/1007

10. After taking into account all the relevant aspects, the Committee recommended Shri R. K. Mathur, (retired IAS) (MT cadre, 1977 batch) for appointment as Chief Information Commissioner in the Central Information Commission.

11. Minutes of the meetings dated 11.12.2015 and 16.12.2015 may please be seen at **Flag 'D'**.

110
p. 1-5/1007

12. The CV of Shri R. K. Mathur, (retired IAS) (MT cadre, 1977 batch) the person recommended for appointment as Chief Information Commissioner is at **Flag 'E'**.

✓
P.126/15/100

13. The Prime Minister may like to recommend to the Hon'ble President the appointment of Shri R. K. Mathur, (retired IAS) (MT cadre, 1977 batch) for the post of Chief Information Commissioner. His term of office shall not be more than five years or till he attains the age of sixty-five years, whichever is earlier.

14. The file submitted for kind approval please.

[Signature]
16/12/15
(Joint Secretary)
JS(DC)
16th December, 2015

~~SECRETARY(P)~~

[Signature]
16/12/15

~~MOS(P) (by hand)~~

[Signature]
16.12.15

Prime Minister

has approved and recommended the appointment for President's approval.

[Signature]
18.12.15

Secretary *[Signature]*

[Signature]
18/12/15

JS(DC)

[Signature]
18/12/15

Ds/45(12)

F. No. 4/2/2015-IR
Government of India
Ministry of Personnel, Public Grievances and Pensions
(Department of Personnel and Training)

Subject: Appointment of Chief Information Commissioner in the Central Information Commission

In exercise of the powers conferred by sub section (1) of section 12 of Right to Information Act, 2005, the Central Government has constituted the Central Information Commission. As per sub section (2) of section 12 of the Act, the Commission shall consist of the Chief Information Commissioner and such number of Central Information Commissioners not exceeding ten, as may be deemed necessary. The vacancy of Chief Information Commissioner has arisen as Shri Vijai Sharma has demitted office on 01.12.2015. At present, there are seven Information Commissioners.

2. As per Section 12 (5) of the Act, the Chief Information Commissioner and Information Commissioners shall be persons of eminence in public life with wide knowledge and experience in law, science and technology, social service, management, journalism, mass media or administration and governance.

3. As per Section 13(1) of the Act, the Chief Information Commissioner shall hold office for a term of five years from the date on which he enters upon his office and shall not be eligible for reappointment:

Provided that no Chief Information Commissioner shall hold office as such after he has attained the age of sixty-five years.

4. According to sub-section (3) of Section 12 of the Act, the Chief Information Commissioner and the Information Commissioners shall be appointed by the President on the recommendation of a committee consisting of:

- i. The Prime Minister, who shall be the Chairperson of the Committee;
- ii. The Leader of Opposition in the Lok Sabha ; and
- iii. A Union Cabinet Minister to be nominated by the Prime Minister.

5. Accordingly the Committee was constituted with the Prime Minister, as Chairperson, Shri Mallikarjun Kharge, Leader of the single largest Party in Opposition in the Lok Sabha and Shri Arun Jaitley, Minister of Finance.
6. Meetings of the Selection Committee held at 4.00 pm on 11.12.2015 and at 5 pm on 16.12.2015. Agenda note of the meeting is at **Flag 'A' (pages 1-189/cor)**. During the meeting the Committee perused the agenda including the details of the applicants along with their profile. Notwithstanding the short-listing done by the search committee, the Committee considered all eligible applicants who applied in response to advertisement made on 09.09.2015 for the post of Chief Information Commissioner.
7. After taking into account all the relevant aspects, the Committee recommended Shri R. K. Mathur, (retired IAS) (MT cadre, 1977 batch) for appointment as Chief Information Commissioner in the Central Information Commission.
8. Minutes of the meetings dated 11.12.2015 and 16.12.2015 may please be seen at **Flag 'B' (pages 190-192/cor)**.
9. The CV of Shri R. K. Mathur, (retired IAS) (MT cadre, 1977 batch) is at **Flag 'C' (pages 125-133/cor)**.
10. The Prime Minister may like to recommend to the Hon'ble President the appointment of Shri R. K. Mathur, (retired IAS) (MT cadre, 1977 batch) for the post of Chief Information Commissioner. His term of office shall not be more than five years or till he attains the age of sixty-five years, whichever is earlier.

Prime Minister

[Signature]
17.12.2015

President

[Signature]
18.12.2015

MOS (PP) Dr. Jitendra Singh

President's Secretariat T.D. No. E.240155-CA/11/2015 dt 18.12.2015

[Signature] 16.12.15
(Dr. Jitendra Singh)
MoS(PP)
16th December, 2015

PRESIDENT'S SECRETARIAT
Dy. No. E. 240155/CA/11/2015
Date: 18/12/15

F. No. 4/2/2015-IR

Subject: Appointment of Chief Information Commissioner and Information Commissioner in the Central Information Commission

Ref. notes on pre-page.

2. Hon'ble President has approved the appointment of Shri R.K. Mathur, (Retired IAS, cadre MT, batch 1977) as Chief Information Commissioner in the Central Information Commission vide their ID No. 340155-CA(I) dated 18.12.2015.

3. Draft offer letter to Shri R.K. Mathur is placed below for approval please.



(Madan Mohan Maurya)

US(IR)

18.12.2015

~~DS(IR)~~

~~JSC/DC~~

~~Madan~~
18/12/15

~~Madan~~
18/12/15

Secretary (P)

~~Secy~~
18/12/15

JS/DC

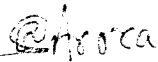
~~Madan~~
18/12/15

DS/US(IR)

Subject: Appointment of Chief Information Commissioner in Central Information Commission.

Reference note at pages 1-2/Ante.

2. Hon'ble President has approved the appointment of Shri R.K. Mathur as Chief Information Commissioner in the Central Information Commission.
3. Offer of letter has been issued to Shri R.K. Mathur on 18.12.2015. Shri R.K. Mathur has accepted the offer for appointment as Chief Information Commissioner.
4. Draft D.O. letter to Additional Secretary, President Secretariat for seeking convenience of Hon'ble President to administer oath to the Chief Information Commissioner designate, in terms of Section 13(3) of the RTI Act is placed below for approval.



(G.S. Arora)

Deputy Secretary (IR)

18.12.2015

JS (DC)


18/12/15

DS/
US (IR)

Subject - Appointment of Chief Information Commissioner in the Central Information Commission.

Sh. R.K. Mathur, Chief Information Commissioner designate is to be administered the oath of Office on 4th Jan, 2016 by Hon'ble President of India.

2. A list of dignitaries who could be invited for the Swearing-in ceremony was sent to Dr. Thomas Nelson, As. President Sectt. ~~was~~ on 18th Dec, 2015.

✓ 'A'

3. Now Sh. R.K. Mathur has sent a list of "Personal Invites" for the Swearing-in ceremony. List may be forwarded to President Sectt. for appropriate action as per dt.

✓ FR

(B. M. J.)
28/12/2015

~~JS (D)~~ We may forward the list of personal guests, received from Sh. R.K. Mathur, Chief Information Commissioner designate, to the President's Sectt. for the oath ceremony to be held at 1300 hrs. on 4th January, 2016 at Rashtrapati Bhawan as per JFA.

JS (DC) on leave

(A. P. Singh)
28/12/15

JS (IB)

(A. P. Singh)

(A. P. Singh)
28/12/15

(A. P. Singh)

JS (RIT)

30/12/2015

FR - public

Dr. Thomas Mathew, AS to the President has informed that Hon'ble President will administer the oath of office to the chief information Commissioner-designate (sh. R.K. Mathur) at 1300 hrs on 4th January, 2016 in the Yellow Drawing Room of Rashtrapati Bhawan.

- 2. DSC(12) has informed sh. Mathur telephonically as well as thru e-mail today the 23rd Dec. 2015 for inf.

(Signature)

23/12/15.

DSC(12)

I have informed sh. R.K. Mathur, C.I.C designate, over telephone, that Hon'ble President will administer the oath of office to him at 1300 Hrs. on 4th January, 2016 at Rashtrapati Bhawan. I have also informed him by e-mail. Scanned copy of the letter received from Addl. Secy. to the President in this regard has also been sent to sh. Mathur by e-mail.

Submitted for information please.

JS(DC) on leave

Secy (P) I. Secy. Thanks.

2. One case in Supreme Court is also coming on the same day. Please discuss on 31/12/15.

(Signature)

23/12/15
G. S. ARORA
DS (IR)

ASO/JS(DC)/DS(12)

(Signature)
23/12/15
11/10/15

(Signature)
23/12/15

23/12/15

Public
P17510

Subject - Appointment of Chief Information Commissioner
in the Central Information Commission.

Sh. R.K. Mathur, Chief Information Commissioner designate
is to be administered the oath of office on 4th Jan, 2016
by Hon'ble President of India.

- 2. The CIC has informed that Sh. Mathur would like to
take oath of office in Hindi. Dr. Mathur, Addl. Secy,
President Sect. may be requested to take appropriate
action as per DFA.

(P, Secy)
30/12/2015

DSC/2 JS(A), CIC has, vide letter dated
29.12.15, requested us to make arrangements
for administering the oath of the CIC on 4th
January, 2016 at Rashtrapati Bhavan in Hindi.

Jt. Secy (CIC) has, vide letter dated 28.12.15, also
requested Director (Invitations), Rashtrapati Bhavan
for administering the oath in Hindi by Hon'ble
President.

- 2. We may also, if approved, ^{intimate} request Addl. Secy,
President's Secretariat that Sh. R.K. Mathur,
CIC designate would like to take the oath in
Hindi as per DFA.

JS(DC) on leave

JS(JB)

JS (Arora)

30/12/15
US(RTI)

G. S. ARORA
30/12/15
30/12/15

30/12/15

Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel & Training
IR Division

Subject : Appointment of Chief Information Commissioner in the Central Information Commission

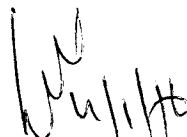
Hon'ble President has approved appointment of Shri Radha Krishna Mathur as the Chief Information Commissioner. He has administered oath of office on 4th January, 2016. Draft notification is placed below for vetting by Legislative Department. A copy of notification for appointment of Chief Information Commissioner in the CIC during 2015 is also placed below, for reference.



(M.M. Maurya)
Under Secretary (IR)
04.01.2016

Deputy Secretary - IR

JSC(DC)



22/01/16
4/1/16

Legal Adviser, DoPT

Notification is to be vetted by Legislative Dept of
MOL. It is requested that it may be sent
to Legislative Dept for vetting.

22/01/16
4/1/16

विधि और न्याय विभाग
Ministry of Law & Justice
विधि विभाग
Legislative Department
Dy. No. S. R. O. No.

22/1/16

JSC(DC) in a meeting

Leg. I Section, Legislative Department

DoPT u.o. No. 4/2/2015-IR dated 4.1.16

- 40 -
Ministry of Law and Justice
Legislative Department

Dyno. 22/16 - SRD

The draft notification with respect to the appointment of Shri Radhakrishna Mathias as the Chief Information Commissioner in the Chief Information Commission with effect from the 4th day of January, 2016 as forwarded by the ad. Ministry (DoPT) has been received and vetted in this Department. The draft as modified in pencil is formally in order. The ad. Ministry may before issuing the notification satisfy that the draft as modified in this Dept meets with their intention and requirements accordingly. The ad. Ministry may see for publication of the said notification on today itself i.e. 4.1.2016.

DoPT

विधि और न्याय मंत्रालय
Ministry of Law & Justice
कानूनी विभाग
Legislative Department
क्र. आ. सं. दिनांक...
U. O. No. Date...

22/16

Hindi version of the
notification has also been vetted by
OL wing, Legislative Deptt.

USCIRI

4/1/16
(रामिसेट्टी श्रीनिवास)
(RAMISETTY SRELNIVAS)
अवर विधायी परामर्शी
Addl. Legislative Counsel
भारत सरकार / Govt. of India
विधि और न्याय मंत्रालय
Ministry of Law & Justice
(कानूनी विभाग / Legislative Deptt.)
नई दिल्ली / New Delhi

4/1/16