

This part file is in continuation of earlier uploaded File No. 4/2/2015-IR and contains information relating to appointment of Information Commissioners in the Central Information Commission.

Disclosure of information is subject to exemptions under section 8 (1) (j) of the RTI Act, 2005.

IR Division

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**Subject:-Appointment of Information Commissioners in the Central Information Commission.**

The issue on this file relates to appointment of three Information Commissioners in the Central Information Commission.

**Rule Position**

1. 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. At present, the Central Information Commission has Chief Information Commissioner and 7(seven) Information Commissioners.

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

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

(Hon'ble Prime Minister had approved nomination of Union Finance Minister in the Selection Committee vide PMO ID note No.600/52/C/1/2015-ES-2 dated 28.08.2015).

The Act further explains that for the purpose of removal of doubts, it is hereby declared that where the Leader of the Opposition in the House of the People has not been recognized 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.

3. Section 12(6) of the RTI Act, 2005 mandates 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 other office of profit or connected with any political party or carrying on any business or pursuing any profession."

4. As per the past policy, the Chief Information Commissioner/Information Commissioners are selected through the process of advertisement, short listing by Search Committee and recommendations of Committee chaired by Prime Minister and thereafter appointed by the President.

*Contd - -*

## Background

5. In February 2014, the Govt. of India decided to fill up two posts of Information Commissioners in the CIC. At that time, the CIC had Chief Information Commissioner and 08 Information Commissioners.
6. On 25.02.2014, DoPT invited applications of interested persons for the post of Information Commissioners in the CIC, the last date for receipt of applications was 25.03.2014. In response to this circular a total number of 293 applications were received.
7. The process of appointment of Information Commissioners was started but before the Selection Committee could meet, one of the Information Commissioners, Shri Rajiv Mathur was elevated to the post of CIC on 22.05.2014 making the strength of Information Commissioners seven.
8. A fresh advertisement was issued on 16.07.2014. It was mentioned that those who had applied against advertisement issued on 25.2.2014 need not apply afresh. In response to the circular dated 16.7.2014, 260 applications were received. Thus a **total 553 applications** were received in response to advertisements published on 25.2.2014 and 16.7.2014.
9. In the meanwhile, Shri Rajiv Mathur completed his tenure as Chief Information Commissioner and demitted the office on 22.8.2014. The Central Information Commission on 23.8.2014 was without a Chief Information Commissioner and had seven Information Commissioners.
10. Applications were invited from interested persons to fill up the post of Chief Information Commissioner through advertisement on 24.10.2014. A total of 203 applications were received by the last date i.e. 24.11.2014.
11. On 6<sup>th</sup> April, 2015, a writ Petition(C) 3386 was filed by R.K. Jain & ors. V/s Union of India in Public Interest before High Court of Delhi. The petitioner contended that the post of the Chief Information Commissioner as well as three posts of Central Information Commissioners are vacant from August, 2014 and prayed to the Hon'ble Court to direct the Union of India to forthwith and urgently prepare a shortlist of candidates for the position of CIC and 3 ICs and immediately place the said shortlist before the high powered selection committee for final selection and appointment to be concluded in a time bound manner.
12. In response to High Court order dated 8.4.2015, the DoPT filed an Affidavit on 9.4.2015 requesting Hon'ble Court to dismiss the WP(C) 3366 in view of the fact that the steps have already been taken for filling up the vacancies of the posts of Chief Information Commissioner and Central Information Commissioners.

Contd - ...

13. The next date of hearing was fixed for 11.5.2015 with the direction that respondents shall report the Court the progress made.

14. A Status Note was filed on 7.5.2015 before the Hon'ble Court, in continuation of affidavit filed by the DoPT on 9.4.2015. Hon'ble Court was apprised that the Search Committee had met on 16.1.2015, 6.2.2015 and 27.4.2015 for shortlisting the applicants for the post(s) of Chief Information Commissioner and Central Information Commissioners.

15. The case was listed for 11.5.2015 but could not be argued because of strike of lawyers and the next date of hearing was fixed for 21.5.2015. Hon'ble Court was informed that appointments are at advance stage of finalisation. After hearing both the sides, the Hon'ble Court reserved its judgment on 21.05.2015.

16. Shri Vijai Sharma, the then IC was appointed as new Chief Information Commissioner and Shri Sudhir Bhargava was appointed as IC on 10.6.2015 and 11.6.2015 respectively. The strength of Central Information Commission on 11.6.2015 was – one Chief Information Commissioner and seven Information Commissioners.

17. The tenure of Shri Vijai Sharma, Chief Information Commissioner was upto 1.12.2015. It was decided in September 2015, to start the process of appointment of new Chief Information Commissioner and more (upto 3) Information Commissioners in the Central Information Commission, through the prevailing policy of advertisement, shortlisting etc..

18. Accordingly, a combined advertisement inviting applications for the post of Chief Information Commissioner and more (upto three) Information Commissioners was published on 9.9.2015. The last date for receiving the applications was 12.10.2015. A total of 341 applications were received out of which 11 applicants had applied only for the post of Chief Information Commissioner, 157 applicants had applied only for the post of Information Commissioner and 173 applicants had applied for both the posts of Chief Information Commissioner and Information Commissioner.

19. On 24.09.2015, Hon'ble Court re-notified the case W.P. No. 3386/2015. The Union of India apprised the Court that the Govt. has already appointed Shri Vijay Sharma(Ex-IC) as CIC on 10.6.2015 and Shri Sudhir Bhargava as IC on 11.6.2015. The Court was also apprised that since CIC is retiring on 1.12.2015, Union of India has decided to fill up that post and also to appoint some more ICs(up to 3) in the Commission. After hearing the arguments, Court reserved its order.

20. The Court in its order on 6.11.2015 directed that:-

- (i) The selection process that has already been 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 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.

21. The Union of India decided to challenge the order of Court on point (i) of para 20 and comply with point (ii) of the said para. Accordingly, the Search Committee, as in para 24, met on 10.11.2015 and 16.11.2015 and shortlisted following two panels

(A) Panel I - for the post of Chief Information Commissioner:

- (i) Shri R. K. Mathur, Retired IAS (MT:77)
- (ii) Shri Arun Kumar Misra, Retired IAS (UP:76)
- (iii) Shri Basant Seth, Incumbent Information Commissioner since 1.3.2012

(B) Panel II - for the post of Information Commissioner (in case the existing Information Commissioner's name is recommended by the Selection Committee for the post of CIC):

- (i) Shri Bhim Sain Bassi, IPS (AGMUT:77)
- (ii) Shri Bimal Julka, Retired IAS (MP:79)
- (iii) Ms. Vijaya Moorthy, Retired IA&AS (78)
- (iv) Shri Anup K Pujari, IAS (Karnataka:80)
- (v) Shri Syamal Kumar Sarkar, Retired IAS (WB:79)
- (vi) Shri Ravi R. Tripathi, Retired Judge, Gujarat High Court

22. In response to notification dated 9.9.2015 and in pursuance of direction of Hon'ble High Court, the Govt. of India **appointed Shri R.K. Mathur as Chief Information Commissioner on 4.1.2016** from panel-I. The panel-II became infructuous

23. As regards, selection of ICs, pursuant to decision of Hon'ble High Court, the Govt. had challenged the verdict of High Court, Delhi by way of SLP No. 34495/2015 in the Supreme Court. The case was heard on 8.1.2016. The Hon'ble Supreme Court ordered (formal order yet to be received) as under:

- (i) To fill up three posts of Information Commissioners in the Central Information Commission within six weeks.
- (ii) Three Information Commissioners to be selected from the persons who applied against advertisements dated 25.2.2014, 16.7.2014 (553 applicants) and 9.9.2015 (330 applicants) i.e. a total of 883 applicants.

Contd. . .

### Constitution of Search Committee

24. For the current round of selection of Chief Information Commissioner and Information Commissioners, Hon'ble Prime Minister had approved constitution of Search Committee as under:-

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

(Shri R.K. Mathur has already been appointed Chief Information Commissioner in Central Information Commission on 4.1.2016.)

### Proposal

25. The orders of Cabinet Secretary is solicited for indicating a convenient date and time for convening the meeting of Search Committee for selection of three Information Commissioners from the list of 553+330= 883 applicants. (Agenda note for the meeting is under preparation separately)

*[Signature]*

(R.K. Girdhar)

Under Secretary (RTI)

11.01.2016

*DS (11/1)*

*JS (DC)*

*[Signature]*  
11/01/16

Consequent to orders of Supreme Court on 8.1.16, file is put up for seeking date, time for the meeting of Search Committee. Agenda will be submitted with notice.

*[Signature]*  
11/1/16

Secretary (P) may kindly indicate the date.

*Cabinet Secretary*

*Early pl.*

*JS (Acc)*  
*[Signature]*  
11/1

*[Signature]*  
11/1/16  
Sanjay Kothari  
Secretary (P)


*42/CSCA-16*  
*12/1*

*S-487/16*  
*12/1/16*

Meeting will be held on 19.01.2016  
at 11 am. Members of the Committee  
may kindly be informed accordingly.

  
12/1/16

Secretary, SPT

  
12/1/2016

Sanjay Kothari  
Secretary (F)

~~JS(DO)~~ / ~~Dei/DySecy~~

Pls circulate  
agenda  
W 13/1/16

~~DS(AR)~~

RA  
13/1/16

US(RTF)

F. NO <sup>47</sup> 4/2/2015- IR [Part II]

Govt. of India.

DoS & T

IR Div.

Sub - Appointment of Information Commissioners  
in the Central Information Commission.

Pursuant to directions of Hon'ble Supreme Court in SLP no. 34495/2015, the Union of India is required to appoint 3 information Commissioners in the Central Information Commission.

2. File seeking convenient date/time of cab. seg for convening the meeting of Search Committee has already been submitted on 11.01.2015. A draft agenda for the meeting of 'Search Committee' is placed below for approval.

DS(1)

JS(FC)

(Rynder)  
12/01/2015

@Pooja  
12/01/16

agenda may be approved.  
Meeting is fixed on 19.1.16 at 10:30 am

and  
17.1.16

SECRET

RECEIVED  
17/01/16

Secretary (P) 1) 9 am seg for CIC, we have put all the information on Website, which we have been doing earlier also.



2. we may not give the details of nerie applicants shortlisted for IC and Annexure I can be deleted. If need be, it can be told in the meeting or circulated and taken back. subsequently
3. Please amend as mentioned in agenda. Panels can be told or given at the time of meeting
4. If we get the Supreme Court order please incorporate it, otherwise it is fine.
5. Please check para 25
6. The tables be kept horizontally. Please show the revised agenda before issue.

Beet  
12/1/16

JS(DC) Put up annex  
DS(1R) W 13/1/16

BA  
13/1/16

US(RTD)

Notes above.

Pl. wise information is as under -

1. File relating to appointment of CIC is yet to be uploaded on the website, as the issue of appointment of CIC and ICs is being dealt with in a single file.
- 2 & 3. O.K. Statements are being prepared accordingly.
4. Supreme Court orders are not yet available.
5. Para 25 checked. We don't seek reports from CVC.
6. Tables will be placed horizontally in the agenda. Revised agenda is placed below for approval.

DS(DC)

@Aroora

(Beet)  
13/1/2016

DS(1R)

JS(DC)

approval, pls put it in blue  
folder 2 distribute W 13/1/16

May pls peruse the revised agenda. Necessary corrections have been made after checking.

The documents related to CIC shall be uploaded in a week's time.

WV  
13/1/16.

Secretary (P)

Secy [P] has seen and corrected the Agenda.

Corrected agenda along with meeting min is placed below for perusal/approval and sign. of meeting min.

DSC/PS

JSCDF

has seen

USC(RTI)

RA 8089  
14/1/16

RA  
14/1/16

RA/PS  
14/1/2016

— SB —

F.No.4/2/2015-IR

Department of Personnel & Training

Subject: Appointment of Information Commissioners in the Central Information Commission.

The issue on this file relates to appointment of three Information Commissioners in the Central Information Commission. The Search Committee, on 19.1.2016, had shortlisted applicants in accordance with the Rule position and the directions dated 8.1.2016 of Hon'ble Supreme Court in SLP No.34495 / 2015 in the matter of Union Of India vs. R.K.Jain and others.

2. The Selection Committee, headed by Hon'ble Prime Minister and having Hon'ble Finance Minister and Shri Mallikarjuna Kharge, the Leader of Single Largest Party in Lok Sabha as Members was scheduled to meet on 9<sup>th</sup> February,2016 at 4.30 P.M. in 7, RCR for selection of Information Commissioners. Agenda Note alongwith meeting notice was delivered to the office of Shri Kharge at 9, Safdarjung Road on 2<sup>nd</sup> February,2016 (around 8 p.m.)

✓ FR. 3. Shri Kharge vide his letter dated 3<sup>rd</sup> February,2016 addressed to MoS(PP) has expressed his inability to attend the said meeting fixed for 9<sup>th</sup> February,2016. He has stated that he was not aware of the bye-elections to the State Assembly, Zila Panchayat and Taluk Panchayat in Karnataka scheduled to be held during this period. He has requested to fix the meeting on any day during the ensuing Parliament Session

4. In this connection it is mentioned that Hon'ble Supreme Court on 08.01.2016 in SLP No. 34495/2015 in the matter of Union Of India vs. R.K.Jain and others has directed that the three posts of Information Commissioners, currently vacant, be filled up within six weeks. **The period of six weeks will expire on 19<sup>th</sup> February,2016.**

From pre-page

5. Since the Budget Session of Parliament is likely to commence after 20<sup>th</sup> February only, the delay in appointment of Information Commissioners may lead to non-compliance of above directions of Hon'ble Supreme Court.
6. Shri Kharge may be requested to make it convenient to attend the meeting, as per schedule on 9<sup>th</sup> February, 2016 at 4.30 P.M. A draft d.o. letter from MoS P(P) to Shri Kharge is submitted for consideration and approval please.

DS (1/2)

JSCDCI

Secretary (P)

3/2/16

3/2/16

(Py, Indu)  
03/02/2016

@Apo89  
3/2/16

M/s (00)

9/  
3-2-16

Ref: Note at pre-pages.

The Hon'ble High Court of Delhi, in its order dated 06.11.2015 in WP (C) No.3386/2015 filed by R.K. Jain and Others Vs. UOI, had directed that

- (i) The selection process that has already been 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 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.

2. The Union of India has decided to challenge the order on point No. (i) of the above direction by filing SLP No.34495 in the Hon'ble Supreme Court. The case was heard by Hon'ble Supreme Court on 8<sup>th</sup> January, 2016. Hon'ble Supreme Court order has been downloaded from the website. During the course of hearing held on 8<sup>th</sup> January, 2016, the Ld. Attorney General apprised the Hon'ble Supreme Court that the direction contained in paragraph 13 of the impugned order dated 06.11.2015 has since <sup>been</sup> complied with. In so far as direction (i) contained in the afore mentioned paragraph, it was submitted that the candidates who had responded to the notifications dated 25.02.2014 and 16.07.2014 were considered and Chief Information Commissioner and one Information Commissioner have since been appointed. There are still three vacancies of Information Commissioners.

3. It was prayed by the Ld. Attorney General that petitioner may be permitted six weeks time to fill up remaining three vacancies of Information Commissioners, out of the candidates who had responded to the notifications dated 25.02.2014, 16.07.2014 and 09.09.2015. The Hon'ble Supreme Court allowed the above Prayer and directed that needful be done within six weeks time from 8th January, 2016. **The period of six weeks expires on 19.02.2015. The case has been listed for further consideration on 26.02.2016.**

4. The meeting for selection of the Information Commissioners is scheduled to be held under the Chairmanship of Hon'ble Prime Minister on 09.02.2016 (Tuesday) at 4.30 PM at 7, Race Course Road, New Delhi. The agenda of the meeting has already been circulated to the Members of the Selection Committee.

α P 633-641C

✓ FIFR  
fp 631-6321C

⊗ F/X'  
p 640-641C

5. We may, if approved, circulate the above orders of Hon'ble Supreme Court to the Members of the Selection Committee. It has also been ascertained from the Central Agency Section, Supreme Court of India that the certified copy of the order is likely to be available either in the evening of 05.02.2016 or 08.02.2016 (Monday) morning.  
Submitted please.

JS (DC)

(G.S. Arora)  
Dy. Secretary (IR)  
05.02.2016

AA / We may circulate the certified copy of S.C. orders to all the members.

(H/W)  
8/2/16

Secretary (P) 'AA' approved. Please also ascertain from the office of Mr. Kharega about the meeting on 9/2/16.

JS (DC)

DS (IR)

(H/W)  
8/2/16

(Sanjay Kothari)  
5/2/16  
Sanjay Kothari  
Secretary (P)

US (RTI)

(H/W)  
08/02/2016

QA  
8/2/16

has been obtained. May be circulated as defined. Certified copy of record of proceedings at 8.1.2016 is placed before for sign.  
DSC/IR

JS (DC) has signed. Pl. issue.

US (RTI)

issued

QA  
8/2/16

(H/W)  
8/2/16

(H/W)  
08/02/2016

As informed, the meeting of Selection Committee  
will now be held on 19.02.2016 at 11 am in  
T, Race course Rd., New Delhi. Meeting notice is  
placed below for signature. DfAs

DS/As

JS(DC)

10/2/16

NS(RTI)

@/8889  
10/2/16

BA  
10/2/16

10/02/2016

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

**Subject:-Appointment of Information Commissioners 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. At present, there are seven Information Commissioners and a Chief Information Commissioner.

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. Every Information Commissioner shall hold office for a term of five years from the date on which he enters upon his office or till he attains the age of sixty-five years, whichever is earlier, and shall not be eligible for re-appointment as such Information Commissioner:

Provided that every Information Commissioner shall, on vacating his office under this sub-section be eligible for appointment as the Chief Information Commissioner in the manner specified in sub-section (3) of section 12:

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. It is pertinent to mention that the process for selection of Information Commissioners was initiated on 17.2.2014 with an advertisement on 25.02.2014. A total of 293 applications were received by the last date of 25.03.2014. The process of appointment of Information Commissioners was started but before the Selection Committee could meet, one of the Information Commissioners, Shri Rajiv Mathur was elevated to the post of Chief Information Commissioner on 22.05.2014 making the strength of Information Commissioners seven.
7. A fresh advertisement was issued on 16.07.2014. It was mentioned that those who had applied against advertisement issued on 25.2.2014 need not apply afresh. In response to the circular dated 16.7.2014, 260 applications were received. Thus a total of 553 applications were received for the post of Information Commissioners in response to advertisements published on 25.2.2014 and 16.7.2014.
8. In the meanwhile, 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.
9. A fresh advertisement dated 09.09.2015 was issued inviting applications for the posts of Information Commissioners and Chief Information Commissioner. A total of 341 applications [11 for CIC, 157 for IC and 173 for both posts of CIC and IC] were received by the last date. The number of applications for IC was 330.

10. For the current round of selection of Chief Information Commissioner and Information Commissioners, Hon'ble Prime Minister had approved constitution of Search Committee as under:-

- |                                     |   |          |
|-------------------------------------|---|----------|
| (i) Cabinet Secretary               | - | Chairman |
| (ii) Addl Principal Secretary to PM | - | Member   |
| (iii) Secretary (Personnel)         | - | Member   |
| (iv) Secretary (I&B)                | - | Member   |
| (v) Secretary (Expenditure)         | - | Member   |
| (vi) Dr. Manoj Panda (Director)     | - | Member   |

Institute of Economic Growth, Delhi University

11. Meanwhile, the above-mentioned case was re-notified for hearing on 09.10.2015. After hearing the arguments, the Hon'ble Court in its order on 06.11.2015, in WP(C) 3386, gave the 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.

12. The Union of India challenged the order of Court on point (i) of para 11 above and comply with point (ii) of the said para. Accordingly, the Search Committee met on 10.11.2015 and 16.11.2015 and shortlisted three names for the post of Chief Information Commissioner and six names for the post of Information Commissioner. The six names of ICs were to be utilized in case the name of any exiting Information Commissioners was recommended by the Selection Committee for the post of Chief Information Commissioner which was likely to arise w.e.f. 2.12.2015.

13. In response to the notification dated 9.9.2015 and in pursuance of directions of Hon'ble High Court, the selection committee chaired by Prime Minister met on 11.12.2015 and 16.12.2015. Consequent to the recommendations of the selection committee, Government of India appointed Shri R.K. Mathur as Chief Information Commissioner on 04.01.2016.

14. As regards selection of ICs, pursuant to decision of Hon'ble High Court, the Govt. had challenged the verdict of High Court, Delhi by way of SLP No. 34495/2015 in the Supreme Court. The case was heard on 8.1.2016. The Hon'ble Supreme Court allowed Union of India six weeks' time, so as to enable it to fill up the remaining three vacancies of Information Commissioners, out of the candidates who had responded to the notifications dated 25.2.2014, 16.7.2014 and 9.9.2015.

835-836/c

15. Accordingly, the Search Committee under the Chairmanship of Cabinet Secretary met on 19.1.2016 and considered a total of 883 applications (553+330) and shortlisted candidates for the post of Information Commissioners keeping in view the record of proceedings of Hon'ble Supreme Court dated 8.1.2016. Minutes of the Search Committee are at **Flag 'A' [pages 736-740/c]**.

736-740/c

16. Meetings of the Selection Committee was held at 11.00 am on 19.02.2016. Agenda note of the meeting is at **Flag 'B' [pages 623-815/c]**. 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 advertisements made on 25.02.2014, 16.07.2014 and 09.09.2015 for the posts of Information Commissioner.

17. After taking into account all the relevant aspects, the Committee recommended the following persons for appointment as Information Commissioners in the Central Information Commission:-

(i) Shri Amitava Bhattacharya, IAS (Retd) (GJ:1980)

(iv) Shri Bimal Julka, IAS (Retd) (MP:1979)

(v) Shri Divya Prakash Sinha, IPS (Retd) (MT:1979)

18. Minutes of the meetings dated 19.02.2016 may please be seen at **Flag 'C' [pages 852/c]**.

19. The CVs of Shri Amitava Bhattacharya, Shri Bimal Julka and Shri Divya Prakash Sinha are at **Flag 'D' [pages 855/c]**.

855

20. Copy of IB reports in respect of recommended officers is at **Flag 'E' [pages 882/c]**.

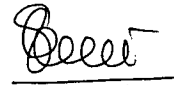
882

21. The Prime Minister may like to recommend to the Hon'ble President the appointment of:

(i) Shri Amitava Bhattacharya, IAS (Retd) (GJ:1980) (ii) Shri Bimal Julka, IAS (Retd) (MP:1979) and (iii) Shri Divya Prakash Sinha IPS (Retd) (MT:1979) for the posts of Information Commissioner. Their term of office shall not be more than five years in aggregate as the Information Commissioner and the Chief Information Commissioner, if any, or till they attain the age of sixty-five years, whichever is earlier.

  
(Devesh Chaturvedi)  
Joint Secretary

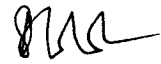
Secretary

  
19/2/16  
Sanjay Kallan  
Secretary Personnel

MOs (PP)

1/2/19.2.16

Prime Minister has approved the proposal at para 21 above. PM has also signed the summary for submission to President.

  
19/2

(V. SHESHADRI)  
Director  
Prime Minister's Office

Secretary, DoPT.

PM ID NO. 600/52/C/1/2015-ES.2 dt. 19/2/16

Shri  
B  
19/2  
4366382  
19/2

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

**Subject: Appointment of Information Commissioners 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. At present, there are seven Information Commissioners and a Chief Information Commissioner.

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. Every Information Commissioner shall hold office for a term of five years from the date on which he enters upon his office or till he attains the age of sixty-five years, whichever is earlier, and shall not be eligible for reappointment as such Information Commissioner:

Provided that every Information Commissioner shall, on vacating his office under this sub-section be eligible for appointment as the Chief Information Commissioner in the manner specified in sub-section (3) of section 12.

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.

Explanation.—For the purposes of removal of doubts, it is hereby declared that where the Leader of 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.

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 was held at 11.00 am on 19.02.2016. Agenda note of the meeting is at **Flag 'A' [1-286/c]**. 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 advertisements made on 25.02.2014, 16.07.2014 and 09.09.2015 for the post of Information Commissioner.

7. After taking into account all the relevant aspects, the Committee recommended the following persons for appointment as Information Commissioners in the Central Information Commission:-

(i) Shri Amitava Bhattacharya, IAS (Retd) (GJ:1980)

(ii) Shri Bimal Julka, IAS (Retd) (MP:1979)

(iii) Shri Divya Prakash Sinha, IPS (Retd) (MT:1979)

8. Minutes of the meetings dated 19.02.2016 may please be seen at **Flag 'B' [287-289/c]**.

9. The CVs of Shri Amitava Bhattacharya, Shri Bimal Julka and Shri Divya Prakash Sinha are at **Flag 'C' [290-312/c]**.

10. The Prime Minister may like to recommend to the Hon'ble President the appointment of:

(i) Shri Amitava Bhattacharya, IAS (Retd) (GJ:1980) (ii) Shri Bimal Julka, IAS (Retd) (MP:1979) and (iii) Shri Divya Prakash Sinha IPS (Retd) (MT:1979) for the posts of Information Commissioner. Their term of office shall not be more than five years in aggregate as the Information Commissioner and the Chief Information Commissioner, if any, or till they attain the age of sixty-five years, whichever is earlier.

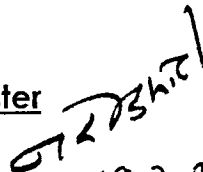


(Dr. Jitendra Singh)

MoS(PP)

19, February, 2016

Prime Minister



19.2.2016

President



21/2/2016

Minister State (PP) (Dr. Jitendra Singh)

President's Secretariat I.D.No E361271-CH (2)/2016 dt. 21-2-2016

PRESIDENT'S SECRETARIAT  
Dr. No. E-361271/2016 (CH)  
Date 20/2/2016

Refer - note in prepage.

Hon'ble President has approved the appointment of Sh. Amilam Bhattacharya, Sh. Bimal Thakur and Sh. Dinesh Prakash Sinha as Informant Commissioners in the Central Informant Commission.

2. Offers of appointment given to them have been accepted by them.
3. May be seen for informant.

(Signature)  
21/02/2016

Div(12)

(Signature)

Draft press note for PIB is placed below for appnt. pl.

Div(12)

(Signature)  
21/02/2016.  
(Signature)  
21/02/2016



F.No. 4/2/2015-IR

**Subject: Appointment of Information Commissioners in the Central Information Commission**


Reference notes on pre-page.

2. Hon'ble President has approved the appointment of Shri Amitava Bhattacharyya, Shri Bimal Julka and Shri Divya Prakash Sinha as Information Commissioners in the Central Information Commission.
3. Offer letters, quoting Section 12(6) of the RTI Act, 2005, were issued to Shri Amitava Bhattacharyya, Shri Bimal Julka and Shri Divya Prakash Sinha on 21.2.2016. All the three officers have accepted the offer of appointment as Information Commissioners.
4. Draft D.O. letter to Additional Secretary, President Secretariat for seeking convenience of Hon'ble President to administer oath to the Information Commissioners designate or to appoint some other person to administer oath to the Information Commissioners designate, in terms of Section 13(3) of the RTI Act, is placed below for approval.
5. Draft press note is also placed below for approval.

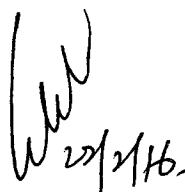


(R.K. Girdhar)  
Under Secretary-RTI  
22.2.2016

Director (IR)



SSCOC)



**IR-Division**

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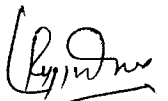
FR.

Hon'ble President, on 21.2.2016 has approved the appointment of Shri Amitava Bhattacharyya, Shri Bimal Julka and Shri Divya Prakash Sinha as Information Commissioners in the Central Information Commission. Offer of appointment have been accepted by the Information Commissioner designates.

2. Additional Secretary, President Secretariat has been requested to indicate as to who will administer Oath of Office to Information Commissioners designates. Additional Secretary to the President of India vide D.O. letter No. F.53-CA(1)/2016 dated 22.2.2016 has conveyed that the President has desired that the newly appointed Information Commissioners may take and subscribe oath or affirmation before the Chief Information Commissioner as provided under Section 13(3) of the Right to Information Act, 2005.

3. Secretary, CIC may be requested to take necessary action for administering the Oath of Office to Information Commissioner designates.

DFA.



(R.K. Girdhar)

US-RTI

22/2/2016

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SCIR

No.F. 4/2/2015-IR

Department of Personnel & Training  
IR Division

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

Hon'ble President has approved the appointment of Shri Amitava Bhattacharyya, Shri Bimal Julka and Shri Divya Prakash Sinha as Information Commissioner in the Central Information Commission. Hon'ble President has desired that the newly appointed Information Commissioners may make and subscribe oath or affirmation before the Chief Information Commissioner as provided under Section 13(3) of the RTI Act, 2005. The Information Commissioners shall be administered oath of office by the Chief Information Commissioner on 25<sup>th</sup> February, 2016. Draft notifications for their appointment as Information Commissioners in the CIC are placed below for vetting by the Legislative Department, Ministry of Law & Justice. A copy of notification for appointment of Sh. Sudhir Bhargava as Information Commissioner is also enclosed.

V/A

(13/1/2016)  
24/02/2016.

DIV (IR)

this may be accorded  
priority.

ci-  
24/2

Leg-I (Legislative Deptt.)

Addl. Secretary

(Dr. Rector  
Varigala)

24/2/16

विधि और न्याय मंत्रालय  
Ministry of Law & Justice  
विधायी विभाग  
Legislative Department  
24/2/16  
R.O. Date

Ref: Note above.

The proposal of the Ministry of Public Personnel, Public Grievances and Pensions, Deptt. of Personnel and Training to issue notification (three numbers) notifying the appointment of CIC member under sub-section (3) of section 12 of the RTI Act, 2005 has been examined and vetted in this Deptt.

The draft notifications as modified in pencil are formally in order. The administrative Ministry may satisfy that the vetted drafts meet with requirements and satisfaction before the same is being published in the Gazette.

M/o Personnel, Public Grievances and Training, DoPT

23/02/16

विधि और न्याय मंत्रालय  
Ministry of Law & Justice  
विधायी विभाग  
Legislative Department  
यू. ओ. सं. दिनांक  
U. O. No. Date  
460/16 25/2/16

notes on prepage.

Legislative Dept. has received the notification of  
appointment of Sh. Amita Shethacharya,  
Sh. Binod Jha and Sh. Divya Prakash Singh  
as Inf. Comm. in the CC.

Accordingly four notifications, English & Hindi, are  
placed below for sign.

(P. S. D. S.)

25/2/2016

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25/2/2016

W  
25/2

Pl. check again before  
sending it to the Press.

VSC(RTI)

(P. S. D. S.)  
25/2/2015

P.  
25/2

Notification issued

(P. S. D. S.)  
11/3/2016.