

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

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

The issue under consideration is appointment of Information Commissioners in the Central Information Commission (CIC). The Government has constituted the Central Information Commission in exercise of the powers under Section 12 (1) of the Right to Information Act, 2005.

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. At present, the Central Information Commission has a Chief Information Commissioner and 6(six) Information Commissioners. Details of the present incumbents may be seen at **Flag 'A'**.

3. 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.*

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.

4. 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.*

5. 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."*

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From prepage

6. (a) In this context it is to be noted that a proposal for amending provisions of the RTI Act relating to salary, allowances and other terms & conditions of office of Chief Information Commissioner/ Information Commissioners in Central and State Information Commission, has been initiated by the Department. As per the proposal, the service conditions will be prescribed by the Central Government by notification of Rules. The Cabinet approved the proposal in its meeting held on 4.4.2018. While communicating the decision through Letter of Authority, Cabinet Secretariat informed that the Cabinet also gave a further direction that the term of office of the Commissioners of CIC/SIC will be as prescribed by the Central Government. Accordingly, a Bill was drafted with the consultation of DoLA, duly vetted by Legislative Department and has been submitted in Rajya Sabha for its introduction.

(b) Thereafter Cabinet Secretariat forwarded the formal Minutes of the Cabinet Meeting. While communicating the approval of DoPT's proposal, the Cabinet has directed that the term of office of the Commissioners of CIC/SIC will be kept as prescribed by Central Government and also restricting it to three years, by making suitable amendment in the Act.

7. Selection/ appointment of Chief Information Commissioner/ Information Commissioners for fulfillment of the vacant posts/ upcoming vacancies need to be made urgently for the RTI Act to work effectively. However, it would not be prudent to initiate the selection process ^{mentioning} ~~meeting~~ the term of office, other conditions of service as per the existing provisions of the Act as the proposed amendments as approved by the Cabinet in its meeting held on 04.04.2018 is sought to be introduced and passed in the next session of Parliament. Accordingly, ~~The draft~~ advertisement has been drafted. ^{accordingly}

Process

8. As per past practice, the process of selection of Information Commissioners involves following steps:-

- (i) Particulars of interested persons are invited through advertisements in newspapers (two English and two Hindi) and through DoPTs Website. A copy of last advertisement issued is at **Flag 'B'**.
- (ii) Particulars of applicants are tabulated by DoPT and sent to a Search Committee (constituted by PM) chaired by Cabinet Secretary.
- (iii) Shortlisted names are sent to a Committee constituted under Section 12(3) headed by the Hon'ble Prime Minister.
- (iv) Persons recommended by the Committee under Section 12(3) are appointed by the Hon'ble President.

From prepage

9. **Need to fill-up all posts of Information Commissioners:** In this regard matter has been under litigation & the relevant court orders are at **Flag 'X'**.

Last Process of Selection

10. Two Information Commissioners namely **Shri M.A. Khan Yusufi** and **Shri Basant Seth** had completed their tenure on **31.12.2016** and **15.2.2017** respectively and two new Information Commissioners were to be appointed in their place.

10.1 The process of appointment of two Information Commissioners was initiated on 12.08.2016, wherein the PMO vide their ID note no. 600/52/C/4/2016-ES.2 dated 24.08.2016, conveyed the approval of the Prime Minister for following:

- (i) to initiate the process of appointment of two Information Commissioners in CIC as per past procedure, with the issue of advertisements as per timelines outlined in para 11 of aforesaid DoPT's note.
- (ii) the constitution of Search Committee with the following composition :-

a.	Cabinet Secretary	Chairman
b.	Additional Principal Secretary to PM	Member
c.	Secretary (Personnel)	Member
d.	Secretary (I&B)	Member
e.	Secretary (Expenditure)	Member
f.	Dr. Manoj Panda (Director) Institute of Economic Growth, Delhi University	Member

- (iii) Shri Arun Jaitley, Minister of Finance, be nominated on the Selection Committee, as was done last time.

10.2 Accordingly, an advertisement inviting particulars of interested persons for the post of Information Commissioners in the CIC was published on the website of this Department on 02.09.2016 and also in all editions of 2 English newspapers (Times of India and the Hindu) and two Hindi newspapers (Dainik Bhaskar and Hindustan). The last date for receipt of applications was 03.10.2016. A total of 225 applications were received. The file was submitted on 26.10.2016 for seeking time and date of Cabinet Secretary to hold the meeting of search committee. However, the file was received back on 19.06.2017 without any further directions.

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From prepage

11 (a) Meanwhile two more Information Commissioners namely **Shri Sharaf Sabharwal** and **Ms. Manjula Prasher** completed their tenure on **22.09.2017** and **15.01.2018** respectively and two new Information Commissioners need to be appointed in their place. This file was submitted on 16.05.2017 for decision of the Hon'ble Prime Minister to be solicited on the following points: -

- i) To start the process of appointment of two Information Commissioners in the CIC, as per past practice of advertisement, shortlisting by Search Committee and Selection by Committee under Section 12(3) (alongwith proposed timelines).
- ii) To decide on composition of Search Committee.
- iii) Name of Union Cabinet Minister to be nominated as member of the Committee to be constituted under Section 12(3) of RTI Act.

The file was also received back. 3

(b) Subsequently, file was resubmitted for consideration of the following decision:-

- i) To complete the ongoing process of appointment of two Information Commissioners in the CIC; and
To start the process of inviting fresh applications for filling up two subsequent vacancies (viz **22.09.2017** & **15.01.2018**) of ICs, mentioned in para 9 above as per past practice of advertisement, shortlisting by Search Committee and Selection by Committee under Section 12(3) of the RTI Act, 2005.

OR

- ii) To appoint 4 (four) Information Commissioners for the 4 (four) existing vacancies (viz **31.12.2016**, **15.2.2017**, **22.09.2017** & **15.01.2018**) by inviting fresh applications and including the previous 225 applications received vide the advertisement issued on 02.09.2016.

The file is under submission since 17.01.2018 and not yet received back. 3

Action Proposed

12. Since ~~more~~ ^{More} than one and a half year have elapsed since the advertisements for 2 vacancies (arising on **31.12.2016** & **15.02.2017**) was initiated, it will be prudent to conclude that process at existing stage and restart fresh process for selection, ^{for} ~~due to~~ following reasons :-

- i) Apart from existing vacancies of four Information Commissioners (viz **31.12.2016**, **15.2.2017**, **22.09.2017** & **15.01.2018**), there are 3 more vacancies of Information Commissioners arising on **21.11.2018**, **21.11.2018** & **01.12.2018**.

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-: 5 :-

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- ii) Applications for filling up 2 vacancies were invited in September' 2016, wherein 225 applications were received and ~~completed~~. Several of these candidates may at present be unwilling, ^{or} ineligible or engaged elsewhere and ^{therefore} not interested in these posts.
- iii) There will be fresh eligible and willing candidates who need to be considered. ^{So that the best selection is based on best available} ~~possible~~ catchment.

Therefore it is proposed that we may initiate the fresh process of selection for the existing vacancies & vacancies likely to arise in 2018. *filling*

Proposed timelines

13. Following timelines are proposed for filling up posts of Information Commissioners in the Central Information Commission :-

- | | | |
|------|--|-------------------------------------|
| i) | Publication of Advertisement | -- 15 th May 2018. |
| ii) | Last date of receiving applications | -- 30 th June 2018. |
| iii) | Scrutiny of applications/ seek any other inputs ^{an applicant} | -- 31 st July 2018. |
| iv) | Meeting(s) of Search Committee | -- 31 st August 2018. |
| v) | Submitting file for meeting of Selection Committee | -- 15 th September 2018. |

Approval sought

14. Approval of the Hon'ble Prime Minister is solicited on the following points:-

- Fresh*
- i) To start the process of appointment of Information Commissioners in the CIC, for existing vacancies & vacancies arising in 2018 as per past practice of publication of advertisement, shortlisting by Search Committee and Selection by Committee under Section 12(3), with timelines proposed in para 13 above.
- ii) To decide on composition of Search Committee. The composition of last approved Committee was :-
- | | | | |
|-------|--------------------------------|---|----------|
| (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
- iii) Name of Union Cabinet Minister to be nominated as member of the Committee to be constituted under Section 12(3) of RTI Act. During the last round of Selection of CIC/IC, Shri Arun Jaitley, Minister of Finance, was nominated as member of the Committee.
- iv) Draft copy of advertisement to be placed on DoPT's website and published in newspapers as per DFA ^{it has been stated that terms of app} ~~wherein service conditions as prescribed at the time of appointment, will be applicable.~~ ^{all}

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*Salary & allowances
and other terms and
conditions of service shall
be as may be specified
at the time of app of selected
candidate*

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- v) To conclude the ongoing process of appointment of two Information Commissioners in the CIC vide the advertisement issued on 02.09.2016 without any further action. Further, candidates who had applied in response to the advertisement, still eligible and willing can also apply again.

Manoj Kumar
 A.S.O (RTI)
 4.5.2018

So (RTI)

Mr. Singh
 4.5.18

US (RTI)
Ramesh
 4/5

JS(DC)

Subject:- Publication of advertisement for appointment to the post Information Commissioners in CIC- regarding.

Government of India has constituted the Central Information Commission in exercise of powers under Section 12(1) of the Right to Information Act, 2005. As per Section 12(1) 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.

2. At present, the Central Information Commission has the Chief Information Commissioner and six Information Commissioners. Incumbency statement of Chief Information Commissioner and Information Commissioners is placed at Flag 'A'. Shri R.K Mathur, the present Chief Information Commissioner is completing his tenure on 24.11.2018. Out of the present six Information Commissioners, the following three Information Commissioners are completing their tenure as follows:-

S. No	Name of the Information Commissioner	Date of completion of tenure
1.	Shri Yashovardhan Azad, IPS(MP)	21.11.2018
2.	Shri Madabhusanam Sridhar Acharyulu, Professor, Law	21.11.2018
3.	Shri Amitava Bhattacharya	01.12.2018

3. 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.

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.

4. In this context, it is pertinent to mention that a Bill titled "the Right to Information (Amendment) Bill, 2018 has been prepared in consultation with the Department of Legal Affairs and the Legislative Department. Notice of intention of introduction to move the Bill in the Rajya Sabha was served on 05.04.2018 for consideration and passage. But the House got adjourned *sine die* on 06.04.2018 and the Bill could not be taken up for consideration.

5. Keeping in view, the vacancy position in Central Information Commission and their need to fill up on urgent basis, the Right to Information (Amendment Ordinance, 2018) was drafted in consultation with the Department of Legal Affairs and the

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Legislative Department and draft note for the Cabinet on amendment of the RTI Act by promulgating an Ordinance by the President was referred to the Prime Minister's Office for approval of the Hon'ble Prime Minister as Minister-in-charge of this Department. The Prime Minister's Office vide its ID dated 17.05.2018 has returned the proposal along with the file.

w.p.g/100

6. With the enactment of the "the Right to Information (Amendment) Bill, 2018, the term of office and conditions of service of the Chief Information Commissioner and information Commissioners in Central Information Commission as well as that of State Chief Information Commissioner and State Information Commissioners would be changed. Presently, the term of office of Chief information Commissioner and Information Commissioners in the Central Information Commission are governed by Sections 13(1) and 13(2) respectively. As per the present provisions, the term of office of the Chief Information Commissioner and Information Commissioners in the Central Information Commission is restricted to 5 years or 65 years of age, whichever is earlier. Also, the salaries and allowances and the other terms and conditions of service of Chief Information Commissioner and Information Commissioners in the Central Information Commission are equated to the Chief Election Commissioner and Election Commissioner respectively who in turn are equated to the Judges of Supreme Court in terms of conditions of service. Similarly, the term of office of State Chief Information Commissioner and State Information Commissioners is restricted to 5 years or 65 years of age whichever is earlier. As per the present provisions, the State Chief Information Commissioner is equivalent to Election Commissioner and the State Information commissioner is equivalent to the Chief Secretary of States. With the proposed amendment coming into force the term of office of the Chief Information Commissioner and the Information Commissioners in the Central Information Commission as well as the State Information Commission would be "for such term as may be prescribed by the Central Government/ State Government". The salaries and allowances payable to and other terms and conditions of the Chief Information Commissioner and the Information commissioners shall be "such as may be prescribed by the Central Government /State Government as the case may be".

7. As per the past practice, the process of selection of Chief Information Commissioner and the Information Commissioners involves following steps:-

- (i) Particulars of interested persons are invited through advertisements in newspapers (two English and two Hindi) and through DoPTs Website. A copy of last advertisement issued is at Flag 'B'.
- (ii) Particulars of applicants are tabulated by DoPT and sent to a Search Committee (constituted by PM) chaired by Cabinet Secretary.
- (iii) Shortlisted names are sent to a Committee constituted under Section 12(3) headed by the Hon'ble Prime Minister.
- (iv) Persons recommended by the Committee under Section 12(3) are appointed by the Hon'ble President.

8. The process of appointment of two information Commissioners in place of Shri M.A Khan Yusufi and Shri Basant Seth, who had completed their tenure on 31.12.2016 and 15.02.2017 respectively, was initiated on 12.08.2016. The Prime Minister's office vide ID note no. 600/52/C/4/2016-ES. 2 dated 24.08.2016, conveyed the approval of the Hon'ble Prime Minister for following:-

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(i) to initiate the process of appointment of two Information Commissioners in CIC as per past procedure, with the issue of advertisements as per timelines outlined in para 11 of aforesaid DoPT's note.

(ii) the constitution of Search Committee with the following composition:-

a.	Cabinet Secretary	Chairman
b.	Additional Principal Secretary to PM	Member
c.	Secretary (Personnel)	Member
d.	Secretary (I&B)	Member
e.	Secretary (Expenditure)	Member
f.	Dr. Manoj Panda (Director) Institute of Economic Growth, Delhi University	Member

(iii) Shri Arun Jaitley, Minister of Finance, be nominated on the Selection Committee, as was done last time.

9. The process of appointment of these two ICs was initiated on 12.08.2016, and an advertisement inviting particulars for two posts of ICs in CIC was published on website of this Department on 02.09.2016, and in 02 leading newspapers also. In response, 225 applications were received. The file (F.No. 4/3/2016-IR) was submitted on 26.10.2016 for seeking time and date of Cabinet Secretary to hold the meeting of Search Committee. However, the file was received back on 20.06.2017 without any further directions.

10. In the meantime, two more Information Commissioners namely, Shri Sharat Sabharwal and Ms. Manjula Prasher have completed their tenure on 22.09.2017 and 15.01.2018 respectively and consequently two more vacancies of Information Commissioners have arisen. Another file (F.No. 4/4/2017-IR) was submitted on 17.05.2017 (before receiving back the earlier file 4/3/2016-IR for consideration/approval of the Hon'ble Prime Minister on the following: -

- i) To start the process of appointment of two Information Commissioners in the CIC, as per past practice of advertisement, shortlisting by Search Committee and Selection by Committee under Section 12(3) (alongwith proposed timelines).
- ii) To decide on composition of Search Committee.
- iii) To nominate one Union Cabinet Minister as member of the Committee to be constituted under Section 12(3) of RTI Act.

(This file was also received back)

11. Subsequently, file (F.No. 4/4/2017-IR) was resubmitted on 17.01.2018 for consideration of the following:-

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- i) To complete the ongoing process of appointment of two Information Commissioners in the CIC; and
To start the process of inviting fresh applications for filling up two subsequent vacancies arisen on 22.09.2017 and 15.01.2018 of ICs.

OR

- ii) To start process for appointment of 4 (four) Information Commissioners against the existing vacancies arisen on 31.12.2016, 15.2.2017, 22.09.2017 and 15.01.2018 by inviting fresh applications and including the previous 225 applications received vide the advertisement issued on 02.09.2016.

(The file (F.No. 4/4/2017-IR) has not been received back)

12. In view of the above, submitted for consideration and approval on the following:-

- (i) To start the process of appointment of four Information Commissioners against the existing vacancies (arisen on 31.12.2016, 15.02.2017, 22.09.2017 and 15.01.2018) by inviting fresh applications and including the previous 225 applications received against the advertisement issued on 02.09.2016, in terms of the existing provisions of the Act;

OR

- (ii) To start the process of inviting fresh applications for filing up only two vacancies of IC's arisen on 22.09.2017 and 15.01.2018, in terms of the existing provisions of the Act;

OR

- (iii) To start the process afresh for filing up all the existing vacancies and the vacancies arising by the end of this calendar year, as per the existing provision of the Act.

OR

- (iv) To await the proposed amendment coming into force and only thereafter start the process of appointment of the Chief Information Commissioner and the Information Commissioners.

Submitted, please.

US(IR)
28.05.2018

For consideration and orders pl.

Director (IR)

MS (LR)
30/05/18

Pl. discuss for clarity.

V Sinha
29/5/18

Dir (IR)
31/5/18

Discussed.
As spoken. Put up a brief status
urgently.

US (LR)

V Sinha
31/5/18

Reference Dir (IR)'s note on pre-page.

2. Status of the vacancy position of Chief Information Commissioner and the Information Commissioners in CIC as well as process for their appointment is as follows: -

- Government of India has constituted the Central Information Commission (CIC) in exercise of powers under Section 12(1) of the Right to Information Act, 2005.
- As per Section 12(1) 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.
- S/Shri M.A Khan Yusufi and Shri Basant Seth completed their tenure on 31.12.2016 and 15.02.2017 respectively and these vacancies are not filled. At present, CIC has the Chief Information Commissioner and six Information Commissioners. Incumbency statement of Chief Information Commissioner and Information Commissioners is placed at Flag 'A'. Shri R.K Mathur, the present Chief Information Commissioner is completing his tenure on 24.11.2018. Out of the present six Information Commissioners, two are completing their tenure on 21.11.2018 and one is completing tenure on 01.12.2018. So, during the calendar year 2018 there would be 06 vacancies (one CIC+ six ICs).
- 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 (the Leader of the single largest group in opposition of the Government in the House of the People), and
 - (iii) a Union Cabinet Minister to be nominated by the PM.
- In this context, it is pertinent to mention that a Bill titled "the Right to Information (Amendment) Bill, 2018 has been prepared in consultation with the Department of Legal Affairs and the Legislative Department. Notice of intention of introduction to move the Bill in the Rajya Sabha was served on 05.04.2018 for consideration and passage. But the House got adjourned *sine die* on 06.04.2018 and the Bill could not be taken up for consideration.
- Keeping in view, the vacancy position in Central Information Commission and their need to fill up on urgent basis, the Right to Information (Amendment Ordinance, 2018) was drafted in consultation with the Department of Legal Affairs and the Legislative Department and draft note for the Cabinet on amendment of the RTI Act by promulgating an Ordinance by the President was referred to the Prime Minister's Office for approval of the Hon'ble Prime Minister as Minister-in-charge of this Department. The PMO vide its ID dated 17.05.2018 has returned the proposal along with the file.

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- As per the existing provisions, the term of office of the Chief Information Commissioner and Information Commissioners in the Central Information Commission and the State Information Commissions is restricted to 5 years or 65 years of age, whichever is earlier. The salaries and allowances and the other terms and conditions of service of Chief Information Commissioner and Information Commissioners in the Central Information Commission are equated to the Chief Election Commissioner and Election Commissioner respectively, who in turn are equated to the Judges of Supreme Court in terms of conditions of service. Similarly, the salaries and allowances and the other terms and conditions of service of State Chief Information Commissioner and State Information Commissioners are equated with an Election Commissioner and Chief Secretary of State respectively.
- With the proposed amendment coming into force, the term of office, salaries and allowances and the other terms and conditions of service of the Chief Information Commissioner and the Information Commissioners in the Central Information Commission as well as the State Information Commission would be changed to "for such term as may be prescribed by the Central Government/ State Government".
- The process of appointment of two information Commissioners in place of Shri M.A Khan Yusufi and Shri Basant Seth, was initiated on 12.08.2016. The Prime Minister's office vide ID note no. 600/52/C/4/2016-ES. 2 dated 24.08.2016, conveyed the approval of the Hon'ble Prime Minister for following:-
 - (i) to initiate the process of appointment of two Information Commissioners in CIC as per past procedure, with the issue of advertisements as per timelines ;
 - (ii) to constitute Search Committee under the chairmanship of Cabinet Secretary and Additional Principal Secretary to PM, Secretary (Personnel), Secretary (I&B), Secretary (Expenditure) and Dr. Manoj Panda (Director) Institute of Economic Growth, Delhi University as Members; and
 - (iii) to nominate Shri Arun Jaitley, Minister of Finance on the Selection Committee.
- Advertisement inviting particulars for two posts of ICs was published on website of this Department on 02.09.2016, and in 02 leading newspapers also. In response, 225 applications were received. The file (F.No. 4/3/2016-IR) was submitted on 26.10.2016 for seeking time and date of Cabinet Secretary to hold the meeting of Search Committee. However, the file was received back on 20.06.2017 without any further directions.
- In the meantime, two more Information Commissioners namely, Shri Sharat Sabharwal and Ms. Manjula Prasher had completed their tenure on 22.09.2017 and 15.01.2018 respectively and consequently two more vacancies of Information Commissioners have arisen. Another file (F.No. 4/4/2017-IR) was submitted on 17.05.2017 (before receiving back the earlier file 4/3/2016-IR for consideration/approval of the Hon'ble Prime Minister on the following: -
 - i) To start the process of appointment of two Information Commissioners in the CIC, as per past practice of advertisement, short listing by Search Committee and Selection by Committee under Section 12(3).
 - ii) To decide on composition of Search Committee.
 - iii) To nominate one Union Cabinet Minister as member of the Committee to be constituted under Section 12(3) of RTI Act.

(This file was also received back)

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- Subsequently, file (F.No. 4/4/2017-IR) was resubmitted on 17.01.2018 for consideration to complete the ongoing process of appointment of two Information Commissioners in the CIC; and to start the process of inviting fresh applications for filling up two subsequent vacancies arisen on 22.09.2017 and 15.01.2018 of ICs.

OR

To start process for appointment of 4 (four) Information Commissioners against the existing vacancies arisen on 31.12.2016, 15.2.2017, 22.09.2017 and 15.01.2018 by inviting fresh applications and including the previous 225 applications received vide the advertisement issued on 02.09.2016.

[The file (F. No. 4/4/2017-IR) has not been received back]

3. In view of the above, submitted for consideration and approval on the following:-
- (i) To start the process of appointment of four Information Commissioners against the existing vacancies (arisen on 31.12.2016, 15.02.2017, 22.09.2017 and 15.01.2018) by inviting fresh applications and including the previous 225 applications received against the advertisement issued on 02.09.2016, in terms of the existing provisions of the Act; **or**
 - (ii) To start the process of inviting fresh applications for filing up only two vacancies of IC's arisen on 22.09.2017 and 15.01.2018, in terms of the existing provisions of the Act; **or**
 - (iii) To start the process afresh for filing up all the existing vacancies and the vacancies arising by the end of this calendar year, as per the existing provision of the Act; **or**
 - (ii) To await the proposed amendment coming into force and only thereafter start the process of appointment of the Chief Information Commissioner and the Information Commissioners.

Submitted please.

US(IR)

01.06.2018

Director (IR)

~~JSE(R)~~ }
04/06/18

V Sinha
01.06.18

The notings foregoing are in respect of filling up of vacancies at the Office of CIC in the posts of Chief Information Commissioner (Chief IC) and Information Commissioner (IC). The position in this regard is tabulated in the statement at Flag-A.

2. In gist, a proposal for filling up of 2 vacant posts of IC (against Sl. No.2 & 6 of Flag-A) had earlier been advertised on 02.09.2016 and 225 applications received. The meeting of the related Search Committee could not be held so far though.

3. Meanwhile, 2 more posts of IC have fallen vacant (against Sl.No.4 & 5 of Flag-A). The filling up of these vacancies has yet not been processed. Apart from this, 4 more posts including Chief IC and 3 other ICs (Sl. No.3,7 & 9) are due to fall vacant shortly (within 01.12.2018).

4. A related ongoing issue is about amendment to terms of office and conditions of service etc. of Chief IC and ICs. This was to be introduced as a Bill in the Rajya Sabha in the last Parliament session, but could not be introduced / taken up for consideration before the House got adjourned sine-die on 06.04.2018.

5. Therefore, at this stage, the points for decision seem to be –

(a) Whether the filling up of the vacant posts of CIC would be taken up only after amending the terms and conditions of office of the Chief IC / IC.

(b) Whether the process for filling up of vacancies would be for 08 vacancies including 04 existing and another 04 vacancies likely to arise shortly; or only for the existing 04 vacancies?

(c) Whether the process for filling up 02 vacancies already advertised would be undertaken separately or the process for presently existing 04 vacancies would be initiated together now.

Submitted please.

Lok Ranjan
(Lok Ranjan)
JS (S&V)

Secretary (P)

This was discussed with Secy (P). Pl clarify regarding present status in respect of issue mentioned at para-4 hereinabove.

Dir (IR)
12/06/18

USCIR)

Pl ascertain

Lok Ranjan
08/06/18

V Sinha
12/6/18

Rajya Sabha (Bill Section)
Tel. 23034723
Lok Sabha
Tel. 23034159

Reference JS (S&V)'s Note on pre-page.

2. The notice of intention to move the "The Right to Information (Amendment) Bill, 2018" was given for consideration and passage in the Rajya Sabha for the 5th April, 2018, but Rajya Sabha got adjourned sine-die and the Bill could not be introduced.
3. "The Right to Information (Amendment) Bill, 2018" is not included in the 'List of Bills Pending in Rajya Sabha at the end of 245th Session of Rajya Sabha'.
4. As per the discussion with the Parliament section, DoPT and telephonic discussion with Bill Section, Rajya Sabha, a **fresh notice of intent** in consultation with the M/o Law and Justice is to be given to introduce "The Right to Information (Amendment) Bill, 2018" in Rajya Sabha/ Lok Sabha.

Submitted please.

~~Manoj~~
13.6.18

SO(RTI)

M.P. Singh
13.6.18

US(RTI) O.L.

~~US(IR) L.O.~~

~~Dir (IR)~~

~~d~~
13/6/2018

14/06 JS(LR)

V. Sindh
13/6/18

- Since the terms of appointments are material for decision on filling-up of posts, the finality of the same either way could be a critical pre-requisite.
- Pl. accompany for a discussion with Secy (P).

~~Dir (IR)~~

15/06/18

Discussed. We may await the receipt of the earlier file submitted on this matter.

~~JS(LR)~~
21/06/18

V. Sindh
19/06/18

~~Dir (IR)~~
US(IR)

~~d~~
22/6/2018
V. Sindh
22/6/18
SO(RTI)

This was discussed with Dir(IR).

2. Government of India has constituted the Central Information Commission in exercise of the powers under Section 12 (1) of the Right to Information Act, 2005. 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. At present, the Central Information Commission has a Chief Information Commissioner and six Information Commissioners. Incumbency Statement of Chief Information Commissioner and Information Commissioners is placed at **Flag 'A'**. Following four Information Commissioners have completed their tenure as follows:-

S. No.	Name of the Information Commissioner	Date of Completion of Tenure
1.	Shri M.A. Khan Yusufi	31.12.2016
2.	Shri Basant Seth	15.02.2017
3.	Shri Sharat Sabharwal	22.09.2017
4.	Ms. Manjula Prasher	15.01.2018

4. The process of appointment of two Information Commissioners in place of Shri M.A. Khan Yusufi and Shri Basant Seth was initiated on 12.08.2016, and an advertisement inviting particulars for two posts of ICs in CIC was published on the website of this Department on 02.09.2016 and in 02 leading newspapers also. In response, 225 applications were received. The file (F.No. 4/3/2016-IR) was submitted on 26.10.2016 for seeking time and date of Cabinet Secretary to hold the meeting of search committee. However, the file was received back on 20.06.2017 without any further directions.

5. In the meantime two more Information Commissioners namely Shri Sharat Sabharwal and Ms. Manjula Prasher have completed their tenure on **22.09.2017** and **15.01.2018** respectively and consequently two more vacancies of Information Commissioners have arisen. There are 04 vacancies of ICs in CIC.

Approval sought

6. Approval of the Hon'ble Prime Minister is solicited on the following points: -

- i) To start fresh process of appointment of 04 Information Commissioners in the CIC for existing vacancies as per past practice of publication of advertisement, shortlisting by Search Committee and Selection by Committee under Section 12(3).

contd...

✓ Pg 1/c




- ii) To decide on composition of Search Committee. The composition of last approved Committee was :-
- | | | | |
|--------|--------------------------------|---|----------|
| (vii) | Cabinet Secretary | - | Chairman |
| (viii) | Addl Principal Secretary to PM | - | Member |
| (ix) | Secretary (Personnel) | - | Member |
| (x) | Secretary (I&B) | - | Member |
| (xi) | Secretary (Expenditure) | - | Member |
| (xii) | Dr. Manoj Panda (Director) | - | Member |
- Institute of Economic Growth, Delhi University
- iii) Name of Union Cabinet Minister to be nominated as member of the Committee to be constituted under Section 12(3) of RTI Act. During the last round of Selection of CIC/IC, Shri Arun Jaitley, Minister of Finance, was nominated as member of the Committee.
- iv) Δ Draft copy of advertisement to be placed on DoPT's website and published in newspapers as per DFA. It has been stated that the term of office, salary and allowances and other terms and conditions of service of the Information Commissioners shall be as may be specified at the time of appointment of the selected candidate.
- v) To conclude the ongoing process of appointment of two Information Commissioners in the CIC vide the advertisement issued on 02.09.2016 without any further action. Further candidates who had applied in response to the earlier advertisement, still eligible and willing can also apply again.

DFA

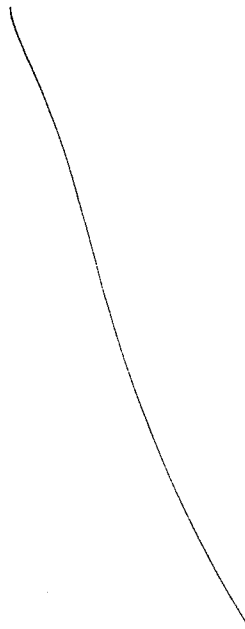
~~Manoj~~ 3-7-18

SO(RTI)

US(RTI) OL

~~US(IR) LO~~
03/7/2018~~Dis(IR)~~

JSLLR)

V Sinha
03/7/18

This is regarding publication of advertisement inviting applications for appointment to the posts of Information Commissioners in Central Information Commission.

2. The process of appointment of two Information Commissioners against the vacancies arisen on completion of tenures of Shri M.A. Khan Yusufi and Basant Seth was initiated on 12.08.2016. An advertisement inviting particulars for two posts of ICs in CIC was published on the website of this Department on 02.09.2016 and in 02 leading newspapers also. In response, 225 applications were received.

3. While the processing of these applications was under consideration, it was felt that the salaries and allowances payable to, and the terms and conditions of service of the CIC and IC needed to be finalized. In this regard, it may be noted that there is no express provision regarding the salaries and allowances payable to and the terms and conditions of service of the CIC and IC in the RTI Act, 2005. The Salaries and allowances and other terms & conditions of CIC and ICs in the Central Information Commission are equated with the Chief Election Commissioner (CEC) and Election Commissioner (EC) respectively who in turn are equated with a Judge of the Supreme Court and a Judge of a High court respectively in terms of conditions of service.

4. Accordingly, a process was initiated in consultation with Ministry of Law & Justice for including enabling provisions for the Govt. to make rules to prescribe the salary and other terms and conditions of Chief Information Commissioner and Information Commissioners in the Central and State Information Commissions by way of Amendment of the Right to Information (RTI) Act. After Cabinet approval the RTI (Amendment) Bill, 2018 was prepared so as to provide express provisions of salaries and allowances and other terms and conditions of service of CIC and IC. Notice of intention to move the Bill for consideration and passage on 05.04.2018 was given in Rajya Sabha. The Bill was not included in the List of Business and the Rajya Sabha got adjourned *sine-die*. The same is intended to be introduced in the ensuing Session of Parliament, 2018. Consequently, the earlier process of appointment of Information Commissioners in Central Information Commission could not be completed.

5. In the meantime, two more Information Commissioners namely, Shri Sharat Sabharwal and Ms. Manjula Prasher have completed their tenure on **22.09.2017** and **15.01.2018** respectively and consequently two more vacancies of Information Commissioners have arisen. So now there are 04 vacancies of Information Commissioners in Central Information Commission.

Rule Position

6. 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. Further, 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:-

Contd... P-18/-

From prepage

- (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.

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.

7. As per the past practice, the process of selection of Information Commissioners involves following steps:-

- (i) Particulars of interested persons are invited through advertisements in newspapers (two English and two Hindi) and on DoPTs website.
- (ii) Particulars of applicants are tabulated by DoPT and sent to a Search Committee (constituted by Hon'ble PM) chaired by Cabinet Secretary.
- (iii) Shortlisted names are sent to a Committee constituted under Section 12(3) headed by the Hon'ble Prime Minister. ~~(details at para 5 pg 17/N)~~
- (iv) Persons recommended by the Committee under Section 12(3) are appointed by the Hon'ble President.

8. For the last round of selection of Chief Information Commissioner (appointed on 4.1.2016) and three Information Commissioners (appointed on 25.2.2016), Hon'ble Prime Minister had approved the composition of Search Committee as follows:-

- | | | |
|-------------------------------------|---|----------|
| (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

9. For smooth functioning of the CIC, it is expedient to fill up 04 posts of Information Commissioners vacant as on date. Enactment of the proposed RTI (Amendment) Bill is likely to take some more time. The selection process of 02 earlier vacancies, as initiated vide the advertisement dated 02.09.2016, did not specify the condition - "The term of office, salary and allowances and other terms and conditions of service of the Information Commissioners shall be as may be specified at the time of appointment of the selected candidates" is being closed. We may start afresh the process for appointment to the 04 posts of Information Commissioners, in supercession of the earlier advertisement published on 02.09.2016 for appointment to 02 posts of ICs.

Contd... b-19/-

10. In view of the above, Hon'ble Prime Minister's approval may be solicited on the following :-

- (i) To close the process of appointment of two Information Commissioners in the CIC initiated vide advertisement issued on 02.09.2016.
- (ii) To start afresh the process of appointment of 04 Information Commissioners in the CIC for vacancies as on date, as per past practice of publication of advertisement, shortlisting by Search Committee and Selection by Committee under Section 12(3) of the RTI Act, 2005. Further candidates who had applied in response to the earlier advertisement, still eligible can also apply again. The term of office, salary and allowances and other terms and conditions of service of the Information Commissioners shall be as may be specified at the time of appointment of the selected candidate/s.
- (iii) The composition of Search Committee is proposed to be the same, as during the last round of selection of Chief Information Commissioner (appointed on 4.1.2016) and three Information Commissioners (appointed on 25.2.2016)[as at para 8 above except for the nomination of a member as at point 6, para 8, prepage] .
- (iv) To nominate one Union Cabinet Minister as member of the Committee, headed by Hon'ble PM, to be constituted under Section 12(3) of RTI Act. [During the last round of Selection of CIC/IC, Shri Arun Jaitley, Minister of Finance, was nominated as member of the Committee.]
- (v) Draft advertisement inviting applications for appointment to 04 posts of IC is placed at :-
 - a) To be published in newspapers.
 - b) To be placed on DoPT's website.

DFA-I
DFA-II

~~Manoj~~ 4.7.18

SO(RTI)

US(RTI) O.L.
~~US(IR) L.O.~~

MP.Singh
4.7.18

04/7/2018

Dir (IR)

~~Dir (IR)~~

Pl. discuss

JSC(R)
05/07/18

- As discussed, pl. call - back the file previously moved to avoid duplication/confusion
- Pl. resubmit along with a clean copy of drafts of advertisements as edited.

V.Sinha
04/7/18

11/07/18

Dir (RTI)

Pl resubmit accordingly

USC(IR)

V.Sinha
13/7/18

-20-

This is regarding appointment to the post of Information Commissioners in Central Information Commission.

2. The process of appointment of two Information Commissioners (ICs) against the vacancies arisen on completion of tenure of Shri M.A. Khan Yusufi and Basant Seth was initiated on 12.08.2016. An advertisement inviting particulars for two posts of ICs in CIC was published on the website of this Department on 02.09.2016 and in 02 leading newspapers also. In response, 225 applications were received. The F.No. 4/3/2016-IR was submitted on 26.10.2016 to Cabinet Secretariat for seeking time and date to hold meeting of the Search Committee. However, the file was received back on 19.06.2017 without any directions. Meanwhile two more Information Commissioners, namely Shri Sharat Sabharwal and Ms. Manjula Prasher completed their tenure on 22.09.2017 and 15.01.2018 respectively and consequently two more vacancies of Information Commissioners arose. F.No. 4/4/2017-IR was submitted on 16.05.2017 for approval of the Hon'ble Prime Minister to start the process of appointment of two Information Commissioners in the CIC. The file was also received back on 29.05.2017 without any further directions.

3. The F.No. 4/4/2017-IR [enclosed F.No.4/3/2016-IR], was resubmitted on 17/01/2018 for taking decision on:-

- i) To complete the ongoing process of appointment of two Information Commissioners in the CIC; and To start the process of inviting fresh applications for filling up two subsequent vacancies (viz **22.09.2017** & **15.01.2018**) of ICs, mentioned in para 9 above as per past practice of advertisement, shortlisting by Search Committee and Selection by Committee under Section 12(3) of the RTI Act, 2005.

OR

- ii) To appoint 4 (four) Information Commissioners for the 4 (four) existing vacancies (viz **31.12.2016**, **15.2.2017**, **22.09.2017** & **15.01.2018**) by inviting fresh applications and including the previous 225 applications received vide the advertisement issued on 02.09.2016.

F.No. 4/4/2017-IR [enclosed F.No.4/3/2016-IR], was sent to Cabinet Secretariat on 30/01/2018.

4. Meanwhile, a fresh process of appointment of 04 Information Commissioners in the CIC has been initiated vide F.No 4/9/2018 afresh with the proposal to close the earlier process wherein 225 applications were received for the posts of 02 Information Commissioners advertised on 02.09.2016.

5. In view of the above, we may withdraw F.No. 4/4/2017-IR [enclosed F.No.4/3/2016-IR] from Cabinet Secretariat. Accordingly, draft I.D Note put up for information and approval please.

Manoj 11.7.18

se(CTR)

M.R. Singh 11.7.18

US(RTI) L.O.
US(IR) L.O.

11/7/2018

Summed. pt.
US(CTR) V.S. Singh 13/7/18

Dir(IR)

V.S. Singh 11/7/18

IS(CTR)

Secretary 12/07/18

Dir(TR)

12/07/18

IS(LR) A

12/07/2018

Reference JS(LR)'s Note on Pg 19/N

2. Cabinet Secretariat vide I.D. No. 4/9/2018-IR(Pt) dated 13.07.2018 has been requested to return the F.No. 4/4/2017-IR [enclosed F.No.4/3/2016-IR].

3. File is resubmitted for soliciting Hon'ble Prime Minister's approval on the following :-

(i) To close the process of appointment of two Information Commissioners in the CIC initiated vide advertisement issued on 02.09.2016.

(ii) To start afresh the process of appointment of 04 Information Commissioners in the CIC for vacancies as on date, as per past practice of publication of advertisement, shortlisting by Search Committee and Selection by Committee under Section 12(3) of the RTI Act, 2005. Further candidates who had applied in response to the earlier advertisement, still eligible can also apply again. The term of office, salary and allowances and other terms and conditions of service of the Information Commissioners shall be as may be specified at the time of appointment of the selected candidate/s.

(iii) The composition of Search Committee is proposed to be the same, as during the last round of selection of Chief Information Commissioner (appointed on 4.1.2016) and three Information Commissioners (appointed on 25.2.2016)[as at para 8 above except for the nomination of a member as at point 6, para 8, prepage].

(iv) To nominate one Union Cabinet Minister as member of the Committee, headed by Hon'ble PM, to be constituted under Section 12(3) of RTI Act. [During the last round of Selection of CIC/IC, Shri Arun Jaitley, Minister of Finance, was nominated as member of the Committee.]

(v) Draft advertisement inviting applications for appointment to posts of IC is placed at :-

- a) To be published in newspapers.
- b) To be placed on DoPT's website.

~~Manoj~~ 13.7.18

~~sa (RTI)~~

US(RTI) O.L.

M.P. Singh 13.7.18

~~US(IR) L.O.~~

13/7/2018

~~Dir (IR)~~

V. S. 13/7/18

~~JSC (R)~~

16/07/18

Secy (P)

As amended.

~~JS (LR)~~

17/07/2018

~~Dir (IR)~~

Pl. Process accordingly

17/07/18

Reference notes on pre-page.

2. The file is resubmitted for soliciting Hon'ble Prime Minister's approval on the following:-

- (i) To close the process of appointment of two Information Commissioners in the CIC initiated vide advertisement issued on 02.09.2016.
- (ii) To start afresh the process of appointment of 04 Information Commissioners in the CIC for vacancies as on date, as per past practice of publication of advertisement, shortlisting by Search Committee and Selection by Committee under Section 12(3) of the RTI Act, 2005. Further, candidates who had applied in response to the earlier advertisement still eligible can also apply again. The term of office, salary and allowances and other terms and conditions of service of the Information Commissioners shall be as may be prescribed at the time of appointment of the selected candidate(s).
- (iii) The composition of Search Committee is proposed to be the same, as during the last round of selection of Chief Information Commissioner (appointed on 04.01.2016) and three Information Commissioners (appointed on 25.02.2016) [as at para-8 on P-18/N].
- (iv) To nominate one Union Cabinet Minister as member of the Committee, headed by Hon'ble PM, to be constituted under Section 12(3) of RTI Act. [During the last round of selection of CIC/IC, Shri Arun Jaitley, Minister of Finance, was nominated as member of the Committee].
- (v) Revised draft advertisement inviting applications for appointment to posts of IC to be published in newspapers and to be placed on DoPT's website, is placed below for consideration.

Submitted please.

V Sinha
(Varsha Sinha)
Director (IR)
18.07.2018

JS (IR)

Insramf 18/07/18

~~Secy (P)~~

(ii) above -

The process of appointment may be for the present 04 vacancies and also likely vacancies.

[Signature]
18/7/18

(Dr. C. Chandramouli)
Secretary (Personnel)

MoS (P)

1/21-7-18

PM

✓ DFA-I
✓ DFA-II

4877664

This is regarding publication of advertisement inviting application for appointment to the posts of Information Commissioners in Central Information Commission.

2. Draft letter to DAVP with a request to publish the advertisement in four newspapers viz. 'The Hindu' and 'Times of India' (in English); 'Dainik Bhaskar' and 'Hindustan' (In Hindi) and all their editions, is placed for approval/ signature please.

~~Manoj~~
26.7.18

SO(RTI)

US(RTI)O.L.

As discussed pt.

MP.Singh
26.7.18

~~US(RTI)O.L.~~

26/7/2018

~~Dir(R)~~

This was discussed with JS.

Para 2 above for consideration and approval pt.

JS(LR)

V.Singh
26/7/18

~~Seeg(P)~~

metramf
26/07/18

26/07/2018

JSCLR)

26/07/18 Dir(R)

Letter signed. Pl. in hand.

V.Singh
26/7/18

~~USCLR)~~

~~SO(RTI)~~

h

26/7/2018

(Bilingual)

fair copies of advertisement is placed below for signature please.

~~USCLR)~~

~~Dir(R)~~

USCLR)

26/7/2018

26/7/2018
SOCLR)

V.Singh
26/7/18

F.No: 4/9/2018-IR(Pt)

C.No 3139776 [464]

Reference Secretary (P)'s approval on pre page.

This is regarding publication of advertisement inviting application for appointment to the post of Information Commissioners in Central Information Commission. This advertisement has been uploaded on the website of this Department on 27/07/2018 and ^{published} in four newspapers dated 27/07/2018 viz. 'The Hindu' and 'Times of India'(in English): 'Dainik Bhaskar' and 'Hindustan' (in hindi) by the Directorate of Advertising & Visual Publicity (DAVP). This is for ~~the~~ information please.

✓ F/A

~~Index~~
~~27-07-2018~~

~~S(ARTI)~~

Mr. Singh
27.7.18

~~US(ARTI)O.L.~~
~~US(HR)L.O.~~

~~27/7/2018~~

~~Dir (IR)~~

~~JS(LR)~~

V Singh
27/7/18

~~Secy (P)~~

~~Secretary~~
~~27/07/18~~

~~31/07/2018~~

~~JS(LR)~~
31/07/18

V Singh
31/07/18

~~Dir (IR)~~

~~USC(IR)~~

~~31/7/2018~~

~~S(ARTI)~~

1. File No 4/9/2018-IR was submitted on 23.07.2018 for soliciting Hon'ble Prime Minister's approval on the following :-

- (i) To close the process of appointment of two Information Commissioners in the CIC initiated vide advertisement issued on 02.09.2016.
- (ii) To start afresh the process of appointment of 04 Information Commissioners in the CIC for vacancies as on date, as per past practice of publication of advertisement, shortlisting by Search Committee and Selection by Committee under Section 12(3) of the RTI Act, 2005. Further candidates who had applied in response to the earlier advertisement, still eligible can also apply again. The term of office, salary and allowances and other terms and conditions of service of the Information Commissioners shall be as may be specified at the time of appointment of the selected candidate/s.
- (iii) The composition of Search Committee is proposed to be the same, as during the last round of selection of Chief Information Commissioner (appointed on 4.1.2016) and three Information Commissioners (appointed on 25.2.2016)[as at para 8 above except for the nomination of a member as at point 6, para 8, prepage].
- (iv) To nominate one Union Cabinet Minister as member of the Committee, headed by Hon'ble PM, to be constituted under Section 12(3) of RTI Act. [During the last round of Selection of CIC/IC, Shri Arun Jaitley, Minister of Finance, was nominated as member of the Committee.]
- (v) Draft advertisement inviting applications for appointment to posts of IC is placed at :-
 - a) To be published in newspapers.
 - b) To be placed on DoPT's website.

2. Meanwhile, Ms. Anjali Bhardwaj Petitioner no. 1, Comm. Lokesh Batra (Retd.), Petitioner no.2 and Ms. Amrita Johri, Petitioner no.3 have filled Writ Petition(Civil)No. 436 of 2018/ (Public Interest Litigation) under Article 32 of the Constitution of India for the enforcement of rights guaranteed under Article 14, 19(1)(a) and 21 of the Constitution of India, highlighting how the Government of India and various State Governments are making the RTI Act, 2005 dysfunctional by not appointing Information Commissioners in the Central Information commission and the various State Information Commissions across the country.

(3) In view of the above it is requested to kindly expedite the approval to enable the Department to file affidavit in the Writ Petition (Civil)No. 436 of 2018.

Submitted please.

Manoj 8.8.18
LSCRTI/O.L.
LS (IR) L.O.

sof(RTI)

Mr Singh 8.8.18

F.No. 4/9/2018-IR was submitted to Prime Minister's Office on 27/07/2018 for Hon'ble Prime Minister's approval regarding appointment of Information Commissioners in the Central Information Commission.

2. Advertisement dated 27.07.2018 inviting applications for the posts of Information Commissioners have been published in the leading newspapers in both English & Hindi.

3. Meanwhile, Ms. Anjali Bhardwaj Petitioner no. 1, Comm. Lokesh Batra (Retd.), Petitioner no.2 and Ms. Amrita Johri, Petitioner no.3 have filled Writ Petition(Civil)No. 436 of 2018/ (Public Interest Litigation) under Article 32 of the Constitution of India for the enforcement of rights guaranteed under Article 14, 19(1)(a) and 21 of the Constitution of India highlighting how the Government of India and various State Governments are making the RTI Act, 2005 dysfunctional by not appointing Information Commissioners in the Central Information Commission and the various State Information Commissions across the country. Supreme Court in its order dated 27/7/2018 directed the Union of India to file affidavit stating *inter-alia* as to how many posts of Information Commissioners are proposed to be filled up pursuant to the present advertisement and time frame within which the posts are to be filled up.

4. In view of the above, Prime Minister's Office may please be requested to expedite the file alongwith Hon'ble PM's approval. Accordingly draft Id note put up for consideration and approval pls.

Submitted please.

x

Manoj 8/8/18

SO(RTI)

M.P. Singh 8.8.18

US(CRTI) O.L.
US(IR) L.O.

08/08/2018

TO (IR)

V Singh
08/8/18

JS (CR)

W.r.t. foregoing -

- This has been separately apprised to JS (PMO), who has assured to pursue.

Secy (P)

x - May kindly be seen in this connection.

Pd spl.

10/08/18

h. M.

10/08/2018.

Discussed
US(CR) V Singh
13/8/18

10/08/18

JS (CR)

Pr. accompany

Dir (IR)

SO(RTI)

13/8/2018

PRIME MINISTER'S OFFICE

**South Block,
New Delhi - 110 011**

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

Reference is invited to DOPT's note dated 18.07.2018 at page 21/N of File No. 4/9/2018 - IR on the subject cited above.

2. Prime Minister has approved the following:-

a) The constitution of the Search Committee for selection of Chief Information Commissioner and Information Commissioners with the following composition:-

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

b) The nomination of Shri Arun Jaitley, Minister as member of the Committee, headed by Hon'ble PM, to be constituted under Section 12(3) of RTI Act.

3. DoPT's File No. 4/9/2018 - IR is returned herewith.



**(Nandini Paliwal)
Director**

Tel. No. 2301 3132

Secretary, Department of Personnel & Training

PMO ID no. 4877064/PMO/2018-ES.2

Dated 13.08.2018

SO (RTI)

I/3681092

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

The issue on this file relates to appointment of 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. At present, the Central Information Commission has a Chief Information Commissioner and six Information Commissioners. Incumbency Statement of Chief Information Commissioner and Information Commissioners is placed at **Flag 'A'**. Following four Information Commissioners have completed their tenure as follows:-

S. No.	Name of the Information Commissioner	Date of Completion of Tenure
1.	Shri M.A. Khan Yusufi	31.12.2016
2.	Shri Basant Seth	15.02.2017
3.	Shri Sharat Sabharwal	22.09.2017
4.	Ms. Manjula Prasher	15.01.2018

4. 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."

5. PMO vide ID no. 4877064/PMO/2018-ES.2 dated 13.08.2018 (p. 22/n) has conveyed the approval of the Prime Minister for following:

(i) the constitution of Search Committee for selection of Information Commissioners with the following composition :-

From prepage

a.	Cabinet Secretary	Chairman
b.	Additional Principal Secretary to PM	Member
c.	Secretary (Personnel)	Member
d.	Secretary (I&B)	Member
e.	Secretary (Expenditure)	Member
f.	Dr. Manoj Panda (Director) Institute of Economic Growth, Delhi University	Member

(ii) the nomination of Shri Arun Jaitley, Minister as member of the Committee, headed by Hon'ble PM, to be constituted under Section 12(3) of RTI Act.

6. Accordingly, an advertisement inviting particulars of interested persons for the post of Information Commissioners in the CIC was published on the website of this Department on 27.07.2018 and also in all editions of 04 newspapers (2 each English and Hindi). The last date for receipt of applications was 31.08.2018. A total no. of 294 applications (226 offline and 68 online) have been received. These applications have been tabulated and placed below.

7. Area of knowledge/experiences as required under Section 12(5) of the Act, has been indicated against each applicant. Only the main fields of knowledge and experience have been mentioned.

8. Ms. Anjali Bhardwaj & others have filed W.P.No. 436 of 2018 in the Supreme Court of India. The petitioners have, *inter-alia*, prayed to the Hon'ble Supreme Court of India to direct the government of India and 9 State Governments to appoint Information commissioners against vacant posts in the Central Information commission and State Information commissions.

9. The Hon'ble Supreme Court in its order dated 27.07.2018 directed to file an affidavit, stating that :

- i) How many posts are proposed to be filled pursuant to the advertisement dated 27.07.2018 and the time schedule within which the posts are to be filled up.
 - ii) UOI's response to Prayer 'F' of the petition seeking directions to the UOI to ensure transparency in the selection process.
 - iii) The reasons for not making any appointment pursuant to the advertisement issued in the year 2016 (02.09.2016).

Contd...

From prepage

- 10. Affidavit in pursuance of order dated 27.07.2018 has been filed on 27.08.2018. The matter is likely to be listed on 12.10.2018.
- 11. Secretary (Expenditure) has been nominated by Hon'ble Prime Minister as a member of the Search Committee. While screening the applications, it has come to notice that Shri Ajay Narayan Jha, Secretary (Expenditure) has also applied for the post of Information Commissioner. His application has been received through proper channel.
- 12. In view of the above, PMO is requested to kindly consider re-constitution of Search Committee by nominating any other member in place of Shri Ajay Narayan Jha, Secretary (Expenditure).

Submitted please.

~~Manoj~~
17.9.18

SO(RTI)

M.P. Singh
17.9.18

US(RTI) O.L.
US(IR) L.O.

~~Dir(RT)~~ refer notes above and at prepage 6-7/n
Para 12 above for the consideration of
Honble Prime Minister pl. V Senha
07/9/18

~~JS(LR)~~

Murthy
10/09/18

~~Secy (P)~~


10/09/2018.

JS(PMO)(VS).

4905374

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

The issue on this file relates to appointment of 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. At present, the Central Information Commission has a Chief Information Commissioner and six Information Commissioners. Incumbency Statement of Chief Information Commissioner and Information Commissioners is placed at **Flag 'A'**. Following four Information Commissioners have completed their tenure as follows:-

V/A

S. No.	Name of the Information Commissioner	Date of Completion of Tenure
1.	Shri M.A. Khan Yusufi	31.12.2016
2.	Shri Basant Seth	15.02.2017
3.	Shri Sharat Sabharwal	22.09.2017
4.	Ms. Manjula Prasher	15.01.2018

4. 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."

5. PMO vide ID no. 4877064/PMO/2018-ES.2 dated 13.08.2018 (p. 22/N) has conveyed the approval of the Prime Minister for following:

(i) the constitution of Search Committee for selection of Information Commissioners with the following composition :-

Contd...

From prepage

a.	Cabinet Secretary	Chairman
b.	Additional Principal Secretary to PM	Member
c.	Secretary (Personnel)	Member
d.	Secretary (I&B)	Member
e.	Secretary (Expenditure)	Member
f.	Dr. Manoj Panda (Director) Institute of Economic Growth, Delhi University	Member

(ii) the nomination of Shri Arun Jaitley, Minister as member of the Committee, headed by Hon'ble PM, to be constituted under Section 12(3) of RTI Act.

6. Accordingly, an advertisement inviting particulars of interested persons for the post of Information Commissioners in the CIC was published on the website of this Department on 27.07.2018 and also in all editions of 04 newspapers(2 each English and Hindi). The last date for receipt of applications was 31.08.2018. A total no. of 281 applications have been received. These applications have been f tabulated and placed below.

✓/X

7. Area of knowledge/experiences as required under Section 12(5) of the Act, has been indicated against each applicant. Only the main fields of knowledge and experience have been mentioned.

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

Category	No. of applications
Law	29
Science & Technology	3
Social Service	12
Management	7
Journalism	3
Mass Media	2
Administration and Governance	68
Others / Multiple	157
Total	281

9. Ms. Anjali Bhardwaj & others have filed W.P.No. 436 of 2018 in the Supreme Court of India. The petitioners have, *inter-alia*, prayed to the Hon'ble Supreme Court of India to direct the government of India and 9 State Governments to appoint Information commissioners against vacant posts in the Central Information commission and State Information commissions.

Contd...

→

←

seeking a convenient time from the Cabinet Secretary to convene the meeting of the Search Committee.

Submitted please,

JS(LR)

Secy (P)

nsrang

11/09/18

V Senha

11/09/18

[Handwritten signature]

(Dr. C. Chandramouli)
Secretary (Personnel)

12/09/2018

Cab Secy.

On 28/9 at 11AM,

Secy
25/9.

Secy (P)

[Handwritten signature]

25/9 0-11406/18
12/9/18

Discussion brief pl.

Dir (IR)

AS(VR)

25/09/18

Dir (IR) - on leave

DS (Reservations) - link officer

26/9/18

US (IR)

26/9/18

SO (RTI)

Reference Cabinet Secretary^{1/2} approved on pre-page 23-26

2. Draft meeting notice submitted for approval please.

M.P. Singh
26.9.18
SO(RTI)

US(RTI) O.L.

US(IR) L.O.

Dir(IR) - on leave

26/9/2018

~~DS (Rel.)~~

Agreed. May Pl. approve, before

CC ES Essend

G. Jeevaraj
26/9/18

~~...~~

~~AS (LR)~~

26/09/18

Dir (IR) - O.L.

US (IR)

A Meeting of Search Committee was convened on 28.09.2018 to shortlist candidates to be considered for appointment as Information Commissioner in Central Information Commission.

- 2. Record of discussion placed at 35-36/N
- 3. The Committee directed that detailed profiles of the applicants may be got prepared/compiled to facilitate further consideration by the Committee. Profiles of the applicants prepared and placed in folder below.
- 4. Chairman of the Search Committee may please be requested to give Date & time for convening the next meeting.

Manoj
26.10.18

SO (RTI)

Mr. Singh
26.10.18

USC (IR)

↓
27/10/18
USC (IR-II)

Director (IR)
29.10.18

V. Sankar
29/10/18

ASCLR)

Secretary
29/10/18

Secy (P)

CS-13765/18
31/11/18

30/10/2018

Cabinet Secretary

F.No: 4/9/2018-IR (Pt)

C.No: 3141043

FR is a letter from Shri A.N Jha, Secretary, Department of Expenditure, North Block. He has referred to his letter dated 30.07.2018 regarding his application for the post of Information commissioner, Central Information Commission. He has requested to kindly consider his above application only after his superannuation from Government service. (30.07.2018)

2. In this regards, it is stated that, Secretary (Expenditure) had been nominated by Hon'ble Prime Minister as a member of the Search Committee. While screening the applications, it came to notice that Shri Ajay Narayan Jha, Secretary (Expenditure) had also applied for the post of Information Commissioner. In view of the above, PMO was requested to kindly consider re-constitution of Search Committee by nominating any other member in place of Shri Ajay Narayan Jha, Secretary (Expenditure). PMO had conveyed the nomination of Secretary (DIPP) in this regard.

3. Further, for the appointment of Chief Information Commissioner in the Central Information Commission, PMO, vide its ID Note No 4930444/PMO/2018-E&S-2 dated 22.10.2018 have conveyed approval to go ahead with the advertisement for the post of Chief Information Commissioner. They have also stated that the constitution of Search Committee and nomination of the Union Minister on the Selection Committee, is same as conveyed vide PMO ID No - 4877064/PMO/2018-ES-II dated 13.08.2018.

4. Shri A.N Jha, Secretary (Expenditure) is a member of Search Committee as conveyed vide PMO ID No - 4877064/PMO/2018-ES-II dated 13.08.2018. Shri A.N Jha has **not** applied for the post of Chief Information Commissioner in the Central Information Commission.

Submitted for further necessary directions/ orders please.

~~Manager~~ 9.11.18

~~Secy (RTH)~~

M.P. Singh 9.11.18

~~US (RTI)~~

Sanyal Kumar 9.11.2018

Director (IR)

Discussed. 'X' above also requires confirmation.

Submitted pl.

V. Srinivas 12/11/18

~~AS (LR)~~

Secy (P)

While 'Y' above may be put up before the Search Committee at its meeting; 'X' above may be confirmed prior to that from PMO. For kind appraisal and approval.

Netramy 12/11/18

~~Dir (IR)~~ 13/11/18

US (RTI)

V. Srinivas 13/11/18

2018/11/13

✓ pp 25/c

2018/11/33/c

✓ Pg 21/c

Pl discuss
US (RTI) V. Srinivas
12/11/18

Reference FR and notes at prepage (pg 9/n).

Shri A.N Jha, Secretary, Department of Expenditure, North Block, vide his letter dated 08.11.2018 had requested to kindly consider his application to the post of Information Commissioner (vide his letter dated 30.07.2018) only after his superannuation from Government service.

2. Shri A.N Jha, now, vide his letter dated 19.11.2018, has requested to kindly consider his application (to the post of Information Commissioner) disregarding his above letter dated 08.11.2018.

Submitted for further directions in this regards.

~~Manoj~~
22.11.18

~~SO(RT)~~

M.P. Singh
22/11/18

~~US(RTI)~~

22/11/2018

~~Director (IR)~~

V Sankar
22/11/18

~~AS(LR)~~

- We may take note only, at this stage.
- If required, the Search Committee could be suitably apprised at the meeting.
- For bind appraisal and in principle approval.

~~Secy (P)~~

horramy
22/11/18



22/11/2018

~~AS(LR)~~

22/11/18

~~Dir (IR)~~

V Sankar
22/11/18

~~US(RTI)~~

Pg 39 exempted from disclosure under
Section 8(1) (j) of the RTI Act, 2005.

F.No. 4/9/2018-IR (Pt.-II)

Ref. Cabinet Secretariat's Note No. 8/18/2018-CS(A) dated 22.11.2018.

2. Cabinet Secretariat has informed that a meeting of the Search Committee for shortlisting the applicants for the post of Chief Information Commissioner is scheduled to be held at 4:00 P.M. on 24.11.2018 in the Committee Room, Cabinet Secretariat, Rashtrapati Bhawan, New Delhi. This will be followed by the meeting for shortlisting the applicants for the posts of Information Commissioner.

3. Meeting Notice for members of the Search Committee for the post of Information Commissioners in the Central Information Commission is submitted for consideration and approval please.

4. Meeting of the Committee constituted under the Chairmanship of Prime Minister under Section 12(3) of the RTI Act for recommending the names to the President for appointment of Information Commissioners, is scheduled to be held on 7:30 P.M at 7, Lok Kalyan Marg, New Delhi.

Draft agenda for the meeting is also placed below for consideration and approval please.

[Signature]
22/11/2018
US(R)

Director (IR)

AS (LR)

[Signature]
22/11/18

V. S. Saha
22/11/18

Secy (P)

[Signature]
26/11

AS (LR)

24/11/18

Dir (IR)

V. S. Saha
27/11/18

u (AR)

[Signature]
28/11/2018

SO (RTI)

DFA-I

DFA-II

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

Sub: 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. The process of filling up four vacancies of Information Commissioners in Central Information Commission has been initiated on 27.07.2018. The previous incumbent Information Commissioners completed their tenure on 31.12.2016, 15.02.2017, 22.09.2017 and 15.01.2018.

2. 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."

3. As per Section 13(2) of the Act, every Information Commissioner shall hold office for a term of five years from the date on which he enters upon his office or he attains the age of sixty-five years, whichever is earlier and shall not be eligible for reappointment as such Information Commissioner.

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 the Opposition in the Lok Sabha; and
- (iii) A Union Cabinet Minister to be nominated by the Prime Minister.

*where the Leader of 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.

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

6. A Circular dated 27.07.2018 seeking applications from interested persons for the posts of Information Commissioner in the Central Information Commission was posted on the website of DoPT on 27.07.2018 after approval of the competent authority (pages 244-246/cor.). Advertisement was also published in the Hindu and Times of India in English, Dainik Bhaskar and Hindustan in Hindi in all editions in India. The last date for receipt of applications was 31.08.2018.

7. In response, a total number of 280 applications had been received by the last date for the posts of Information Commissioner in the Central Information Commission. List of the 280 applications may please be seen at pages 113-133 /cor.

8. The Prime Minister on 13.08.2018 and 26.09.2018 had approved constitution of a Search Committee for the present round of selection process (pages 99-100/cor), as given below:-

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

9. The Search Committee met under the Chairmanship of Cabinet Secretary on 28.09.2018 and 24.11.2018 and shortlisted candidates for the posts of Information Commissioners in the Central Information Commission. Minutes of the Search Committee may please be seen at pages 233-234/cor.

10. Meeting of the Committee constituted under Section 12(3) of the Right to Information Act headed by the Prime Minister was held at 6.30 pm on 11.12.2018 and 20.12.2018. Agenda note of the meeting is at **Flag 'A' (pages 240-267/cor)**. During the meeting the Committee perused the agenda note, 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 27.07.2018 for the posts of Information Commissioner as well as the names shortlisted by the Search Committee headed by Cabinet Secretary.

11. After taking into account all the relevant factors, the Committee recommended the following names for appointment as Information Commissioner in the Central of Information Commission:-

- | | | | |
|-------|------------------------------|---|--------------------------|
| (i) | Ms. Vanaja N. Sarna | - | Information Commissioner |
| (ii) | Shri Yashvardhan Kumar Sinha | - | Information Commissioner |
| (iii) | Shri Neeraj Kumar Gupta | - | Information Commissioner |
| (iv) | Shri Suresh Chandra | - | Information Commissioner |

12. Minutes of the meetings dated 11.12.2018 and 20.12.2018 may please be seen at **Flag 'B' (pages 268-270/cor)**.

13. The Profiles of the persons who are presently recommended for appointment as Information Commissioner, is at **Flag 'C' (270/cor)**.

14. The recommendation of the Committee may be submitted to the Hon'ble President for the appointment of (i)Ms. Vanaja N. Sarna, (ii)Shri Yashvardhan Kumar Sinha, (iii)Shri Neeraj Kumar Gupta and (iv)Shri Suresh Chandra as Information Commissioner under Section 12(3) of the Right to Information Act, 2005. The term of office of each Information Commissioner shall not be more than five years from the date on which she/he enters upon her/his office or she/he attains the age of sixty-five years, whichever is earlier.



(Dr. C. Chandramouli)
Secretary (P)

21st December, 2018

MOS (PP)

Prime Minister

President

F.No.4/9/2018-IR/ CF No.3139776

Confidential

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

In pursuance of Sections 12 and 13 of the Right to Information Act, 2005, four vacancies of Information Commissioners are to be filled against vacancies caused on 31.12.2016, 15.02.2017, 22.09.2017 and 15.01.2018.

2. The Act requires appointment of Information Commissioner 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 the Opposition in the Lok Sabha; and
- (iii) A Union Cabinet Minister to be nominated by the Prime Minister.

*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.

3. The vacancies were announced on 27.07.2018 on the website of DoPT and in newspapers (both Hindi & English). The last date for receipt of applications was 31.08.2018. In response, 280 applications were received.

4. A Search Committee under the Chairmanship of Cabinet Secretary met on 28.09.2018 & 24.11.2018 and short-listed candidates for the post. Minutes of the Search Committee may be seen at pages 233/234/Corr (F/A).

5. The Committee headed by the Prime Minister held meetings on 11.12.2018 and 20.12.2018 and recommended four names for appointment as Information Commissioner in the Central Information Commission. As the minutes of the meeting have not indicated any order of preference for the four names, the following order is suggested.

- (i) Shri Yashvardhan Kumar Sinha
- (ii) Smt. Vanaja N. Sarna
- (iii) Shri Neeraj Kumar Gupta
- (iv) Shri Suresh Chandra

6. Minutes of the meetings and the profiles of the persons recommended for appointment may be seen at F/B and F/C respectively.

7. Prime Minister may consider recommending to the President appointment of (i) Shri Yashvardhan Kumar Sinha, (ii) Smt. Vanaja N. Sarna, (iii) Shri Neeraj Kumar Gupta, and (iv) Shri Suresh Chandra, as Information Commissioner under Section 12 (3) of the Right to Information Act, 2005. The term of office of each Information Commissioner shall not be more than five years from the date on which she/he enters upon her/his office or she/he attains the age of 65 years, whichever is earlier.

[Signature]
 (Dr. Jitendra Singh)
 MoS (PP)
 21.12.2018

Hon'ble Prime Minister

[Signature]
 26.12.2018

Hon'ble President

[Signature]
 29-12-2018

[Signature]
 31/12/2018

[Signature]
 Secy (P)
 AS (LR)
 31/12/18

PRESIDENT'S SECRETARIAT
 Dy. No. E-670507/2018/CA-1
 Date: 27/12/18

Dir (IR)

Minister of State (P) (Dr. Jitendra Singh)
 President's Secy. F. No. 53-24112018, dt 25.12.18

[Signature]
 31.12.18

Subject: Appointment of ICs in the Central Information Commission.

This is regarding appointment of Information Commissioners in the Central Information Commission.

2. In its meeting held on 20.12.2018, the Committee constituted under the Chairmanship of the Prime Minister of India under Section 12(3) of the Right to Information Act 2005 recommended the names to the President of India for appointment to the post of Information Commissioner in the Central Information Commission.

3. Following drafts have been prepared and placed for approval please.

- i. Draft Offer Letters for the recommended candidates.
- ii. Draft letter to ^{Secretary} CIC for oath taking ceremony to the newly appointed information Commissioners.

✓ DFA I
✓ DFA II

Manoj
28-12-18

US(RTI) on leave
Director

ASCR

For kind approval in-principle,

V Sinha
28/12/18

Secy (P)

Noted
28/12/18

M. M.
28/12/2018

Dir (IR)

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

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

In exercise of the powers conferred by sub section (1) of Section 12 of the 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.

2. The President has approved the appointment of Shri Yashvardhan Kumar Sinha, Smt. Vanaja N. Sarna, Shri Neeraj Kumar Gupta and Shri Suresh Chandra as Information Commissioner in Central Information Commission and the Chief Information Commissioner will administer the oath of office to the Information Commissioners-designate on 1st January, 2019 at 1700 hrs. This has to be **published in Part-II Section 3, sub-section (ii) of the Gazette of India, Extraordinary.** Accordingly, we may request the Manager, Government of India Press, Mayapuri to publish in Part-II Section 3, sub-section (ii) of the Gazette of India, Extraordinary **on 1st January, 2019 after 1800 hrs as per DFA.**

Sanyal Kumar
UI (RTI)
31.12.2018

Director (IR) - on leave


AS (LR) 31/12/18

Dir (IR) - on leave.

US (RTI)

AO (RTI)

AO (MK)


31/12/2018

As desired, revised draft with corrections in % newly appointed Ics are placed below for your review pl.

Sanyal Kumar
UI (RTI)
1/1, 2019

Director (IR) - on leave

AS (LR)

Subject: - Appointment of ICs in the Central Information Commission

Gazette Notification for the appointment of Shri Yashvardhan Kumar Sinha, Smt. Vanaja N Sarna, Shri Neeraj Kumar Gupta and Shri Suresh Chandra as Information Commissioners in the Central Information Commission with effect from the afternoon of 1st day of January, 2019 is placed at pp 286-288/Corr.

2. In the hearing of WP(C) No. 436/2018 in Supreme Court on 13.12.2018, the Hon'ble Supreme Court directed DoPT to put on the website the names of the Search Committee, the names of the candidates who have been shortlisted as well as the criteria which is followed for selection. In this regards, we may start the process of preparing / merging the file/ part files for uploading on the website of DoPT on the lines of the last appointment process [F.No 4/2/2015-IR]. On finalization we may seek approval of the competent authority before uploading the website.

Manoj
2.1.19

SO(RTI)

M.P.Singh
2.1.19

US(RTI)

The next date of hearing in the case is on 22/1/2019. Copies of the notification has also been sent to CIC (PP.287/Corr)

Sanyam
US (RTI)
2.1.2019

Director (IR) - on leave

Pl. prepare as proposed ;
and resubmit.

AS(R)

Notranj
03/01/19

Dir (IR) - on leave
US (RTI)

GO (RTI)
ASO (Hwy)

31/12/18

Reference FR.

2. JS(Admn), CIC has informed that oath of office of the Information Commissioner was administered by Sudhir Bhargava, Chief Information Commissioner to Shri Yashvardhan Kumar Sinha, Smt. Vanaja N Sarna, Shri Neeraj Kumar Gupta and Shri Suresh Chandra in Central information Commission on 1st January, 2019 at 1700 hrs.

3. They have further requested a copy of the notification of the appointment of the Information Commissioners may be sent to the Commission. In this regards it is stated that copies of Gazette of India Extra-ordinary notifications regarding the appointment of Shri Sudhir Bhargava as Chief Information Commissioner and appointment of four Information Commissioners in the Central Information Commission have been forwarded through e-mail to Secretary, CIC on 02/01/2019.

4. We may inform the President Secretariat about the Oath of newly appointed Information Commissioners as per DFA. Submitted for approval/signature pls.

Manoj 3/1/19

safti

US(RTI)

MP Singh
3.1.19

Jayoj Kumar
US(RTI)
3.1.2019

Director (IR) on leave

AS(R) 03/01/19

Dir (IR)

US(RTI)

✓ Pg 13/cont

✓ Pg 22/cont

2 DFA

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

Pg 328/C

Next date -
22nd Jan. 2019

In the hearing of WP(C) No. 436/2018 in Supreme Court on 13.12.2018, the Hon'ble Supreme Court directed DoPT to put on the website the names of the Search Committee, the names of the candidates who have been shortlisted as well as the criteria which is followed for selection. In this regards, the file has been prepared for uploading on the website of DoPT on the lines of the last appointment process [F.No 4/2/2015-IR]. The earlier uploaded file may be seen at <https://dopt.gov.in> > RTI > Important Files of RTI Division.

2. If approved we may upload the file [F.No 4/9/2018-IR] on the website of DoPT.

Submitted please.

~~Manoj~~ 14.1.19

~~SO(RTI)~~

M.P. Singh
14.1.19

~~US(RTI)~~

Sanyam Kumar
14.1.2019

~~Director (TR)~~

For approval pt

~~AS(LR)~~

Morramp
15/01/19

V. Sankar
14/01/19

~~Secy (PT)~~

 15/01/2019.

~~AS(LR)~~

16/01/19

~~Dir (TR)~~

V. Sankar
16/01/19

US(RTI)