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

PMO has conveyed the approval of the Prime Minister vide ID no. 600/5/C/4/2012-ES.2 dated 27/05/2013 for appointment of one post of Chief Information Commissioner and four posts of Information Commissioners in the current round of selection based on the earlier approved process, keeping in view, inter alia, the observation and directions of the Supreme Court.

2. A Writ Petition was filed by Shri Namit Sharma against Union of India challenging the constitutional validity of sub-Sections (5) and (6) of Section 12 of the RTI Act. Hon’ble Supreme Court delivered its Judgement on 13.09.2012. The operative part of the judgement is placed below.

3. Union of India filed a Review Petition against the said judgement of the Supreme Court. The judgement in Review Petition is reserved. In the meanwhile, the Supreme Court passed an interim order dated 16.04.2013, staying two of its said directions. The stay order is also placed below.

4. Appointment of Information Commissioners in the Central Information Commission is being dealt with separately. Regarding appointment of Chief Information Commissioner, the earlier practice had been that CIC is appointed from amongst the existing ICs. During the initial appointment of Chief Information Commissioner, the name of Shri Wajahat Habibullah was recommended by the Selection Committee for the position of Chief Information Commissioner. Regarding subsequent appointments of Chief Information Commissioners, both Shri A. N. Tiwari and Shri Satyananda Mishra were Information Commissioners, before their appointment as Chief Information Commissioner. Their names too were recommended by the Selection Committee for appointment as Chief Information Commissioner, as per the proceedings of the Committee. A copy of the said proceedings is placed below for perusal. Applications were never called for the post of Chief Information Commissioner in the past. It is also pertinent to mention that a resolution had been passed by the Information Commissioners of the Central Information Commission in September, 2010 recommending that the successor of CIC should be from the existing ICs. A copy of the resolution is also placed below.

5. The existing Chief Information Commissioner viz. Shri Satyananda Mishra would retire on 4.9.2013. A list of existing Information Commissioners in the Central Information Commissioner is as under:-
<table>
<thead>
<tr>
<th>Sl.No.</th>
<th>Name of Information Commissioner</th>
<th>Date of Birth</th>
<th>Date of Appointment</th>
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<tr>
<td>4.</td>
<td>Shri Rajiv Mathur</td>
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<td>01.03.2012</td>
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<td>16.02.1952</td>
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<td>15.02.2017</td>
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</table>

* Resignation

6. Section 12(3) of the RTI Act, 2005 stipulates that the Chief Information commissioner and 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.

7. File is submitted for nomination of a Union Cabinet Minister by the Prime Minister and also to convene a meeting of Selection Committee for the purpose of selection of Chief Information Commissioner in the Central Information Commissioner.

(R K Girdhar)
Under Secretary (RTI)
1/8/2013

(Dir.(IR))
(MM (Act & P)) (on Leave)

(PP)

(P)
Subject: Appointment of Chief Information Commissioner in the Central Information Commission.

PMO has conveyed the approval of the Prime Minister vide ID no. 600/5/C/4/2012-ES.2 dated 27/05/2013 for appointment of one post of Chief Information Commissioner and four posts of Information Commissioners in the current round of selection based on the earlier approved process, keeping in view, inter alia, the observation and directions of the Supreme Court.

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   (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.

7. PMO vide their letter, PMO ID no. 600/31/C/39/2013-ES.2, dated 12.8.2013 has conveyed the approval of nomination of Shri Kapil Sibal, Minister for Law and Justice, on the ‘Selection Committee’ for the selection of Chief Information Commissioner in the Central Information Commission.

8. File is submitted for convening a meeting of ‘Selection Committee’ for the purpose of selection of Chief Information Commissioner in the Central Information Commission.

9. Agenda for the meeting is at F/A.

(R K Girdhar)
Under Secretary (RTI)
13/8/2013
search committee completed its work.

Honorable Minister.

14/08/15

350 8154
Subject: Appointment of Chief Information Commissioner in the Central Information Commission.

Refer notes on page 1-2/ante.

PMO has conveyed the approval of the Prime Minister vide ID no. 600/5/C/4/2012-ES.2 dated 27/05/2013 for appointment of one post of Chief Information Commissioner and four posts of Information Commissioners in the current round of selection based on the earlier approved process, keeping in view, inter alia, the observation and directions of the Supreme Court.

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5. Section 12(3) of the RTI Act, 2005 stipulates that the Chief Information Commissioner and Information Commissioners shall be appointed by the President on the recommendation of a committee consisting of-
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6. PMO vide their letter, PMO ID no. 600/31/C/39/2013-ES.2, dated 12.8.2013 has conveyed the approval of nomination of Shri Kapil Sibal, Minister for Law and Justice, on the 'Selection Committee' for the selection of Chief Information Commissioner in the Central Information Commission.

7. File was last submitted for convening a meeting of Selection Committee for the purpose of selection of Chief Information Commissioner in the Central Information Commission.

8. It has been learnt that PMO has conveyed the approval of PM for convening the meeting of Selection Committee at 7.00 p.m. of 26th August, 2013 at 7, Race course Road, New Delhi.

9. File is submitted for the orders of MOS(PP) for issuing notice of meeting along with agenda note. DFA please.

(R.K. Girdhar)
Under Secretary (RTI)
20.08.2013

Yo (Director (IR))

Sharma case and S.C. Judgments in the case have been made in the Agenda Note. 2018

For kind approval of the draft agenda note for next meeting indicated at para 8 above.

MOS(PP)
20/8/13

Shri M. Jyotiraditya Scindia has already received an intimation. Notice with Agenda note may be sent.
Subject:- Appointment of Chief Information Commissioner in the Central Information Commission.

In exercise of the powers given by Section 12(1) of the Right to Information Act, 2005, the Government has constituted the Central Information Commission. As per sub-section (2) of Section 12 of the Act, the Commission shall consist of one Chief Information Commissioner and up to 10 Central Information Commissioners. At present there is one Chief Information Commissioner and six Central Information Commissioners in the Commission. Shri Satyananda Mishra, present Chief Information Commissioner, is retiring on 04.09.2013. It has been decided to appoint a new Chief Information Commissioner in place of Shri Satyananda Mishra.

2. Section 13(1) provides that the Chief Information Commissioner shall hold office for a term of 5 years from the date on which he/she enters upon his/her office or till he/she attains the age of 65 years, whichever is earlier and shall not be eligible for re-appointment.

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

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

4. Accordingly the Committee was constituted with the following composition to recommend the name of a suitable person for appointment as Chief Information Commissioner:

   (i) the Prime Minister
   (ii) the Leader of Opposition in the Lok Sabha, and
   (iii) the Minister for Law & Justice.

5. The Committee considered the proposal on 26th August, 2013 and recommended the name of Smt. Deepak Sandhu for
6. Agenda note for the meeting and the proceedings of the meeting of the Committee are placed at Flag 'A' and 'B' respectively.

7. The Prime Minister may approve the recommendation made by the Selection Committee and may recommend to the Hon'ble President to approve the appointment of Smt. Deepak Sandhu as the Chief Information Commissioner in the Central Information Commission.

(Shri V. Narayanasamy)
MOS(PP)
Subject:- Appointment of Chief Information Commissioner in the Central Information Commission.

The Committee consisting of (i) The Prime Minister (ii) the Leader of Opposition in the Lok Sabha, and (iii) the Minister for Law and Justice under the chairmanship of Hon'ble Prime Minister met on 26th August, 2013 to consider the proposal for the appointment of the Chief Information Commissioner in the Central Information Commission and recommended the name of Smt. Deepak Sandhu for appointment as Chief Information Commissioner in the Central Information Commission. The file has been sent to Hon'ble President for his approval.

2. Pending the approval of Hon'ble President, following are submitted for approval:-

a) Offer of Appointment to the new Chief Information Commissioner (DFA-I).
b) Draft D.O. letter from JS (AT&A) to Additional Secretary (President Secretariat) to inform the date and time of administering Oath to the new Chief Information Commissioner (DFA-II).
c) List of invitees for swearing in ceremony of Chief Information Commissioner (DFA-III).
d) Draft notification for appointment of Smt. Deepak Sandhu as Chief Information Commissioner in the Central Information Commission w.e.f. 5th September, 2013. (DFA-IV).

(R.K. Girdhar)
Under Secretary (RTi)
27.08.2013
Hon'ble President has appointed the appointment of
Smt. Neelakshandam as Chief Information Commissioner in the Central Information Commission w.e.f 5.5.2013.

2. Oath of Office will be administered to her by
the President at 11.00 hrs. on 5.5.2013.

3. A draft notification of the same may be
sent immediately to the Legislative Office
A copy of notification in the Hon'ble Legislative
Secretary (Legislative) is also placed below.

Div. (HR) 29

Dy. Legislative Dsptt [A/P - Sh. K. Kannan, D.I.C.]

Hld. Law & Justice, Shri. Bhavan.

Ministry of Law & Justice
Prime Ministers
Legislative Dptt

Legislative I Section

Draft notification has been suitably
revised from the drafting angle and the same is formally

D/o Personal and Training

Sanjay Singh,
2/9/13

Legislative Dptt, official language being for Hindi translation

2/9/13

2/9/13

16/9/13
राजम अधिसूचना का हिंदी पाठ तैयार कर दिया गया है कि भाषा संबंधित मंत्रालय/विभाग यह सुनिश्चित कर लें कि तैयार हिंदी पाठ उनकी अपेक्षाओं के अनुसार है।

सिद्धान्त

(दिनेश यानी)

(प्रभारी)

23388231

राजम खंड अ/स. 491/2013-अनु01 तारीख 2-7-13 शास्त्री मंजू, नई दिल्ली

मंगोलिया

2/9/13

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

The Committee consisting of (i) The Prime Minister (ii) the Leader of Opposition in the Lok Sabha, and (iii) the Minister for Law and Justice under the chairmanship of Hon’ble Prime Minister met on 26th August, 2013 to consider the proposal for the appointment of the Chief Information Commissioner in the Central Information Commission and recommended the name of Smt. Deepak Sandhu for appointment as Chief Information Commissioner in the Central Information Commission. The file has been sent to Hon’ble President for his approval. The existing Chief Information Commissioner would retire on 4.9.2013.

2. MOS (PP) has advised that Oath of Office may be administered to the Chief Information Commissioner designate on the evening of 4.9.2013 itself.

3. The opinion of Ministry of Law as to whether the Oath of Office could be given to the new Chief Information Commissioner on the evening of 4th September, 2013 or it has to be on 5th September, 2013 or later was sought.

4. Ministry of Law and Justice has opined that normally, the Oath of Office should be administered to the new Chief Information Commissioner on the 5th September, 2013 or any time thereafter. However, if for any sufficient reason, it is proposed to administer the Oath to the new Chief Information Commissioner on the evening of 4th September, 2013, it will be advisable to add the words "with effect from 5th September, 2013" in the Oath as under:

"I......................, having been appointed Chief Information Commissioner with effect from 5th September, 2013 swear in the name of God/solemnly ............"

5. It is therefore proposed that the President Secretariat may be requested to seek the approval of Hon’ble President to administer Oath to the new Chief Information Commissioner on the evening of 4th September, 2013. Draft letter is placed below for approval.
6. It is also proposed to make the changes in the Oath of Office as suggested by the Ministry of Law and Justice, as mentioned above.

Submitted Please.

(R.K. Girdhar)
Under Secretary (RTI)
29.08.2013
Ref: Notes on p.9-10/anti

Hon'ble President has approved the selection of Smt. Deepak Sardana as Chief Information Commissioner in the Chief Information Commission.

2. President Sardana has consented that Sardana will be pleased to attend the oath of office on Chief Information Commissioner designate at Rashtrapati Bhavan at 1100 hours on 5th Sept, 2013.

3. A O.P. letter of regular officer to confirm attendance and also to receive in office of Information Commissioner before taking up the office of Chief Information Commissioner in Press (Note) for official and signature.

(i) (R) in interview

TS APP

Mangal Singh

2/9/13

Smt. Deepak Sardana vide her letter dt. 2/9/13 has accepted the offer of appointment as Chief Information Commissioner of CIC.
Subject:- Appointment of Chief Information Commissioner in the Central Information Commission.

Smt. Deepak Sandhu, Chief Information Commissioner, Central Information Commission is due to retire on 18.12.2013. As per Section 12(2) of the RTI Act, the Central Information Commission shall have the Chief Information Commissioner and up to ten Information Commissioners. It is necessary to select new Chief Information Commissioner by 18.12.2013.

2. Sub-sections (1) and (2) of Section 13 provide that the Chief Information Commissioner and Information Commissioners can hold office for a term of five years or till the age of 65 years, whichever is earlier.

3. Section 12(3) of the Act stipulates that the Chief Information Commissioner and the Information Commissioners shall be appointment 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.

4. Smt. Deepak Sandhu was appointed as Chief Information Commissioner in the Central Information Commission on 5th September, 2013. At that time, PMO vide their ID no. 600/31/C/39/2013-ES.2, dated 12.8.2013 had conveyed the approval of nomination of Shri Kapil Sibal, Minister for Law and Justice, on the ‘Selection Committee’ for the selection of Chief Information Commissioner in the Central Information Commission.

5. At the time when selection of the Chief Information Commissioner was to be made in September 2010, the Commission had passed a resolution to the effect that the Chief Information Commissioner should be selected from amongst the Central Information Commissioners. Although, no formal decision was taken on the resolution, on that occasion, Shri A.N. Tiwari, who was holding the post of Information Commissioner was selected as Chief Information Commissioner. Subsequently also, Shri Satyananda Mishra who was holding the post of Information Commissioner was selected to the post of Chief Information Commissioner. Same practice was followed in the selection of Smt. Deepak Sandhu in September, 2013.

6. Details of persons holding the post of Information Commissioner in the Central Information Commission as on 20.11.2013 are given below:

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<th>Sl. No</th>
<th>Name of Information Commissioner</th>
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<td>Mrs. Sushma Singh</td>
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</table>
Apart from above, the Hon'ble President, on 14.11.2013, has approved the appointment of five more Information Commissioners in the Central Information Commission. Offer of appointments have been issued to them and their acceptance letters have also been received. The new information Commissioners are yet to be administered Oath of Office.

6. Bio-Data of the existing Information Commissioners, as available on the website of Central Information Commission, may be seen at Flag 'A'.

7. Submitted for following consideration:
   a) Nomination of Union Cabinet Minister on the ‘Selection Committee’.
   b) Date for convening the meeting of ‘Selection Committee’.
Subject :-Appointment of Chief Information Commissioner in the Central Information Commission.

Smt. Deepak Sandhu, Chief Information Commissioner, Central Information Commission is due to retire on 18.12.2013. As per Section 12(2) of the RTI Act, the Central Information Commission shall have the Chief Information Commissioner and upto ten Information Commissioners. It is necessary to select new Chief Information Commissioner by 18.12.2013.

2. Sub-sections (1) and (2) of Section 13 provide that the Chief Information Commissioner and Information Commissioners can hold office for a term of five years or till the age of 65 years, whichever is earlier.

3. Section 12(3) of the Act stipulates that the Chief Information Commissioner and the Information Commissioners shall be appointment 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.

4. PMO vide their ID no. 600/31/C/39/2013-ES.2 (Vol-3), dated 27.11.2013 has conveyed the approval of nomination of Shri Kapil Sibal, Minister for Law and Justice, on the ‘Selection Committee’ for the selection of Chief Information Commissioner in the Central Information Commission.

5. At the time when selection of the Chief Information Commissioner was to be made in September 2010, the Commission had passed a resolution to the effect that the Chief Information Commissioner should be selected from amongst the Central Information Commissioners. Although, no formal decision was taken on the resolution, on that occasion, Shri A.N. Tiwari, who was holding the post of Information Commissioner was selected as Chief Information Commissioner. Subsequently also, Shri Satyananda Mishra who was holding the post of Information Commissioner was selected to the post of Chief Information Commissioner. Same practice was followed in the selection of Smt. Deepak Sandhu in September, 2013.
Details of persons holding the post of Information Commissioner in the Central Information Commission as on 2.12.2013 are given below:

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<td>7.</td>
<td>Ms. Manjula Prasher</td>
<td>16.01.1953</td>
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7. Bio-data of the existing Information Commissioners in the Central Information Commission may be seen at Flag 'A'. Agenda note for the meeting is at Flag 'B'.

8. Submitted for indicating the date for convening the meeting of 'Selection Committee'.

(R.K. Girdhar)
Under Secretary

Discussed with Hon'ble Member to have meeting in Parliament House on the Honourable Member.
Lunch minister's chamber on 5-12-13 at 12:30 pm. Have lunch minister's day dinner

Minister's lunch minister.

3/12/15

12:30 PM on 5/12/2013

With PM's schedule I
had earlier reminded him
that we will put a date blast
for the meeting in consultation
with MOSPPS, etc.

MOSP
P

Meeting as afternoon will be
held at Parliament House, in the room
where the meeting is scheduled
at 12:30 pm on 5-12-13.

Day (p) - in a meeting

3/12/15

J6 (AT2A)

3/12/13

US (ATI)

3/12/13
Subject:- Appointment of Chief Information Commissioners in the Central Information Commission.

In exercise of the powers given by Section 12(1) of the Right to Information Act, 2005, the Government has constituted the Central Information Commission. As per sub-section (2) of Section 12 of the Act, the Commission shall consist of one Chief Information Commissioner and upto 10 Central Information Commissioners. At present there is one Chief Information Commissioner and nine Central Information Commissioners in the Commission. Smt. Deepak Sandhu, present Chief Information Commissioner, is retiring on 18.12.2013. It has been decided to appoint a new Chief Information Commissioner in place of Smt. Deepak Sandhu.

2. Section 13(1) provides that the Chief Information Commissioner shall hold office for a term of 5 years from the date on which he/she enters upon his/her office or till he/she attains the age of 65 years, whichever is earlier and shall not be eligible for re-appointment.

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

   (i) the Prime Minister who shall be the Chairman of the Committee;
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4. Accordingly the Committee was constituted with the following composition to recommend the name of a suitable person for appointment as Chief Information Commissioner:

   (i) the Prime Minister
   (ii) the Leader of Opposition in the Lok Sabha, and
   (iii) the Minister for Law & Justice.
5. The Committee considered the proposal on 5th December, 2013 and recommended the name of Smt. Sushma Singh for appointment as Chief Information Commissioner in the Central Information Commission.

6. Agenda note for the meeting and the proceedings of the meeting of the Committee are placed at Flag 'A' and 'B' respectively.

7. The Prime Minister may approve the recommendation made by the Selection Committee and may recommend to the Hon'ble President to approve the appointment of Smt. Sushma Singh as the Chief Information Commissioner in the Central Information Commission.

(Shri V. Narayanasamy)
MOS(PP)
Subject:- Appointment of Chief Information Commissioner in the Central Information Commission.

The Committee consisting of (i) The Prime Minister (ii) the Leader of Opposition in the Lok Sabha, and (iii) Sh. Kapil Sibal, the Minister for Law and Justice under the chairmanship of Hon’ble Prime Minister met on 5th December, 2013 to consider the proposal for the appointment of the Chief Information Commissioner in the Central Information Commission and recommended the name of Smt. Sushma Singh for appointment as Chief Information Commissioner in the Central Information Commission. Hon’ble President has approved the appointment.

2. Following D.O. letters are placed below for signature:-
   a) Offer of Appointment to the new Chief Information Commissioner (A).
   b) D.O. letter from JS (AT&A) to Additional Secretary (President Secretariat) to inform the date and time of administering Oath to the new Chief Information Commissioner (B) along with List of invitees for swearing in ceremony of Chief Information Commissioner

(R.K. Girdhar)
Under Secretary (RTI)
9.12.2013

Director (IR)  
9.11.2

JS (AT&A) has signed on DO C at 2(a).

The same has been issued.  
9.11.2

JS (E)  


Df (R)
FR.

Honble President will administer the Oath of Office to the new Chief Information Commissioner, Ex-IC Information Commissioner, Ms. Sushma Singh, at 1300 hrs. today the 19th December 2013 at Rashtrapati Bhavan.

2. Suggested list of invitees for the ceremony in Ceremony, as supplied by the DEPT, may be seen at P/7 A.

3. List of invitees suggested by DEPT at the time of ceremony in ceremony of outgoing Chief Inf. Commissioner, Ms. Deepak Sharma may be seen at P/7 B.

Submitted to Inf.

Yours truly,

[Signature]
13/12/2013
[Date]
[Place]
The President, on the recommendation of the Selection Committee constituted under Section 12(3) of the RTI Act, 2005, has approved the appointment of Shri Sukhbir Singh as Chief Information Commissioner in the Central Information Commission with effect from 19th December, 2013.

2. A notification to this effect is placed below for your information.

Legislative Deptt [All: Dr. Sanjay Singh, Addl Secy],
M/o Law & Justice

Draft notification is formally in order.

Sd/-
Sanjay Singh
28/12/13
OZ Wing, Leg Depth may for provide kind
ventilation and relief of vital organs' stability.

OZ Wing, Leg Depth.