

Subject: Amendment of the RTI Act – proposal regarding.

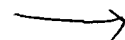
The matter under consideration on this file is amendment of section 13(5) and section 16 (5) of RTI Act, 2005, relating to the salaries & allowances payable to and the terms & conditions of service of CIC/IC and State CIC/ICs respectively and also Section 27 of the RTI Act which empowers the appropriate Government to make Rules to implement provisions of RTI Act, 2005.

2. The approval of MOS(PP) for the amendment of the Section 13(5), Section 16(5) and Section 27 of the RTI Act as proposed was obtained vide notes at page 1-8/n.

3. File was referred to Legislative Department on 27th March, 2018 and DOLA 28th March, 2018, Ministry of Law & Justice alongwith the Draft Cabinet Note, Draft Notification for CIC (Salary and Allowances, Other Terms & Conditions) Rules, 2017 and the Draft RTI (Amendment) Bill, for further comments if any and vetting of the Notification and finalization of the Draft RTI (Amendment) Bill. They have concurred and finalised the RTI (Amendment) Bill, 2018 (Page 219-Corr).

4. Cabinet Note was sent for approval of Cabinet on 03.04.2018. Cabinet Secretariat had conveyed the approval of the Cabinet vide DO letter No 13/CM/2018 dated 5/4/2018 (page 274/Corr). The Cabinet further directed that the term of office of Chief Information Commissioner, Information Commissioners, State Chief Information Commissioners and State Information Commissioners be as prescribed by the Central Government.

5. Legislative Department was requested to draft a Bill. Legislative Department drafted the Right to Information (Amendment) Bill, 2018 (Page 271/Corr). Notice of intention to move the Right to Information (Amendment) Bill, 2018 was given to Rajya Sabha on 5th April, 2018



6. The Bill was not included in the list of Business and therefore was not taken up for consideration by the Rajya Sabha.
7. Notice of intention to move the Right to Information (Amendment) Bill, 2018 was again given to Rajya Sabha on 11th July, 2018. However, the Bill was not included in the list of Business and therefore was not taken up for consideration by the Rajya Sabha.
8. The Right to Information (Amendment) Bill was earlier approved by Hon'ble Prime Minister on 03.04.2018 (Page 408/Cor.). The Note for the Cabinet on amendment of the Right to Information Act, 2005 which was approved by the Cabinet on 05.04.2018 is placed at Flag 'A'.
9. It is proposed to amend the Section 13(5), section 16 (5) and section 27 of RTI Act, 2005. For this purpose the draft Cabinet Note is being put up for consideration of the Cabinet. The comments of Deptt. of Finance, Legislative Department & Deptt. of Legal Affairs obtained during the submission of the earlier proposal can be seen at page 216/Cor, 220/Cor & 219/ Cor. Hence no fresh inter-ministrial consultation have been undertaken now.
10. The approval of Hon'ble Prime Minister as Minister-in-charge of the Ministry of Personnel, Public Grievances and Pensions is solicited before placing the draft Cabinet Note at Flag 'B' before the cabinet for consideration.

Submitted please.

Manoj
5/7/19

us/IR-11)

Director (TR)

AS (LR) on try

Secy (P) M. M.

M/S (P)
2/5.7.19

so (IR-11)

As discussed, the file is
submitted for consideration.

MPSingh
5.7.19

Sanyal
5/7/2019

V Sinha
05/07/19

05/07/2019

Hon'ble PM

Subject: Amendment of the RTI Act – proposal regarding.

The matter under consideration on this file is amendment of section 13(1), 13(2), 13(5), sections 16(1), 16(2), 16(5) of RTI Act, 2005, relating to the salaries & allowances payable to and the terms & conditions of service of CIC/IC and State CIC/ICs respectively and also Section 27 of the RTI Act which empowers the appropriate Government to make Rules to implement provisions of RTI Act, 2005.

2. The approval of MOS(PP) for the amendment of the Section 13(5), Section 16(5) and Section 27 of the RTI Act as proposed was obtained on 04.03.2017.

3. File was referred to Legislative Department on 27th March, 2018 and DOLA 28th March, 2018, Ministry of Law & Justice alongwith the Draft Cabinet Note, Draft Notification for CIC (Salary and Allowances, Other Terms & Conditions) Rules, 2017 and the Draft RTI (Amendment) Bill, for further comments if any and vetting of the Notification and finalization of the Draft RTI (Amendment) Bill. They have concurred and finalised the RTI (Amendment) Bill, 2018.

4. Cabinet Note was sent for approval of Cabinet on 03.04.2018. Cabinet Secretariat had conveyed the approval of the Cabinet vide DO Letter No 13/CM/2018 dated 5/4/2018. The Cabinet further directed that the term of office of Chief Information Commissioner, Information Commissioners, State Chief Information Commissioners and State Information Commissioners be as prescribed by the Central Government.

5. Legislative Department was requested to draft a Bill. Legislative Department drafted the Right to Information (Amendment) Bill, 2018. Notice of intention to move the Right to Information (Amendment) Bill, 2018 was given to Rajya Sabha on 5th April, 2018

6. The Bill was not included in the list of Business and therefore was not taken up for consideration by the Rajya Sabha.

7. Notice of intention to move the Right to Information (Amendment) Bill, 2018 was again given to Rajya Sabha on 11th July, 2018. However, the Bill was not included in the list of Business and therefore was not taken up for consideration by the Rajya Sabha.

8. The Right to Information (Amendment) Bill was earlier approved by Hon'ble Prime Minister on 03.04.2018. The Note for the Cabinet on amendment of the Right to Information Act, 2005 which was approved by the Cabinet on 05.04.2018 is placed at Flag 'A'.

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Page 1/cv

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F/A

9. The Cabinet Note with the same proposal was earlier considered and approved by the Cabinet on 05.04.2018 vide Cabinet DO letter No 13/CM/2018 dated 5/4/2018. The Cabinet further directed that the term of office of Chief Information Commissioner, Information Commissioners, State Chief Information Commissioners and State Information Commissioners be as prescribed by the Central Government. The directions of the Cabinet mentioned above were carried out in the Bill and the Bill was given to Rajya Sabha on 11th July 2018. However the Bill was not included in the list of Business and therefore was not taken up for consideration by the Rajya Sabha.

10. With regards to the directions of the Cabinet mentioned above it is proposed to amend the Section 13(1), 13(2), 13(5), sections 16(1), 16(2), 16(5) and section 27 of RTI Act, 2005. For this purpose the draft Cabinet Note is being put up for consideration of the Cabinet. The comments of Deptt. of Finance, Legislative Department & Deptt. of Legal Affairs obtained during the submission of the earlier proposal for amending the Section 13(5), Section 16(5) and Section 27 of the RTI Act. Hence no fresh inter-ministrial consultation have been undertaken now.

11. The draft Cabinet Note sent earlier on the main file seeks approval for amending the Section 13(5), Section 16(5) and Section 27 of the RTI Act. The present draft Cabinet Note, in view of the approval of the Cabinet dated 05.04.2018 seeks amendment of the Section 13(1), 13(2), 13(5), sections 16(1), 16(2), 16(5) and Section 27 of the RTI Act

Submitted for consideration.

~~Manoj~~
8/7/19
US(R-2)

~~50(R-2)~~

M.P. Singh
8.7.19

Sanyal
8/7/2019

~~Director (IR)~~

V Sarda
08/07/19

~~ASCL~~

~~Assistant~~
f 08/07/19

~~Secy (P)~~

~~h. h.~~
08/07/2019

~~MOS (P)~~
7/7/19

P.D.F.A

Department of Personnel & Training
(IR Division)

Sub: Cabinet Note for Amending the
Right to Information Act - Commence/Verify req.

Please find enclosed a draft Cabinet Note for amending the RTI Act, along with draft Bill for comments and legally vetting of Department of Legal Affairs. This may kindly be given top priority, as this is to be placed before the Cabinet on 10th July 2019. This may kindly be given priority, as this has to be placed before the Cabinet on 10.7.2019.

338/95/15/2019
9/7/19

V. Srinivas
09/07/19
(Vansha Srinivas)
Director (IR)
M-9818077451

Department of Legal Affairs

Shreshth Bhowan

- 4 MTG

New Delhi

~~JS (IR RTI)~~

R
9/7/19
DLA (RTR)
9/7/19

Department of Personnel & Training
(IR Division)

Sub: Cabinet Note for Amending the
Right to Information Act - Comments/Reply req.

Please find enclosed a draft Cabinet Note for amending the RTI Act, alongwith draft Bill for comments and legally vetting of Department of Legal Affairs. This may kindly be given top priority, as this is to be placed before the Cabinet on 10th July 2019. This may kindly be given priority, as this has to be placed before the Cabinet on 10.7.2019.

3534/95/LS/2019

9/7/19

V Sinder
09/07/19
(Varsha Sinder)
Director (IR)
M-9818097451

Department of Legal Affairs

Suresh Bhowan

MT-8

New Delhi

~~JS (IR RTI)~~

R
9/7/19
DLA (RTR)
10/7/19

7

Dy.No. 335495/LS/2019
Ministry of Law & Justice
Department of Legal Affairs

The present reference is from Ministry of Personnel, Public Grievances and Pensions, Department of Personnel & Training (DOPT) seeking our concurrence from legal and constitutional angle in the Draft Note for the Cabinet (F/A) containing a proposal to introduce the Right to Information (Amendment) Bill, 2019 (The Bill) (F/B) suggesting amendments to Sections 13, 16 and 27 of the Right to Information Act, 2005 ('the Act') relating to the salaries and other allowances and other terms of office and conditions of services of Chief Information Commissioner (CIC)/ Information Commissioners (ICs) in the Central Information Commission (CIC) and State Chief Information Commissioner (SCIC) /State Information Commissioners (SICs) in the State Information Commissions.

2. The Background of the proposal is provided in para 2 of the Note wherein the evolution of the Act with effect from 12.10.2005 is provided. The existing provision relating to the term of office of CIC and ICs in the CIC and SCIC and SICs in the State Information Commissions are also elaborated. It also stated that as per the present provisions of Section 13 of the Act the CIC is equivalent to the Chief Election Commissioner and ICs in the CIC are equivalent to the Election Commissioner. Similarly, as per the provisions of the Section 16 of the Act the SCIC and SICs of the State Information Commissions are equivalent to Election Commissioner and Chief Secretary of the State. It is also stated that a Cabinet Note proposing amendments to the Act was considered earlier with the approval of the Cabinet vide their letter dated 5.4.2018. However, the same would not be included in the list of the business and therefore was not taken for consideration by Rajya Sabha. It is therefore proposed to amend sections 13 (1), 13 (2), 13 (5), Sections 16 (1), 16 (2), 16 (5) and sections 27 of the Act.


3. Justification for the proposed amendments is provided in para 4 of the Note wherein it is stated that the proposed amendments will remove the anomaly between CIC, ICs in the CIC, SCIC and ICs in the State Information Commissions and other equivalent authorities like Chief Election Commissioner and Election Commissioners. It is also stated that as per the move by the Government to rationalize the service condition in various statutory organizations/commissions it is imperative to rationalize the service condition of the CIC and ICs.

4. The Note seeks approval of the Cabinet for introduction of the Right to Information (Amendment) Bill, 2019 for amending the Sections 13(1), 13(2), 13(5), sections 16(1), 16(2), 16(5) and Section 27 of the RTI Act, 2005 with such modifications or changes of drafting and consequential nature, if any, as may be considered necessary, in consultation with the Legislative Department.

5. In this connection it is relevant mention that upon a reference from DOPT the subject matter was examined in this Department earlier vide our Dy. No. 270255/LS/20017 and 300440/LS/2018 and concurred in the proposal made earlier (F/C).

6. In view of the above since the proposed amendments in the Act are to remove the anomaly between CIC, ICs in the CIC, SCIC and ICs in the State Information Commissions and other equivalent authorities like Chief Election Commissioner and Election Commissioners being a matter of policy and we have already concurred in the proposal earlier there appears to be no legal or Constitutional objection to the proposal contained in the Note. Hence we may concur in the Note.

May kindly see.


(DR. R.J.R. Kasibhatla)
Deputy Legal Adviser
09.07.2019

JS & LA (DR. Rajiv Mani)

Secretary 40

873/1960
9/7/19

Gangeshwarimal
09/07/2019
Shri Mahesh

Rajiv Mani
9/7/19

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666
9/7/2019

[F.No.1(29)/2017-Leg.I]
Ministry of Law and Justice
Legislative Department

Ministry of Personnel, Public Grievances and Pensions (Department of Personnel and Training) has forwarded a draft Note for the Cabinet seeking the approval of the Cabinet for amendment of the Right to Information Act, 2005 (22 of 2005) and for introducing a Bill, namely, the Right to Information (Amendment) Bill, 2019, in Parliament.

2. Presently, the term of office of, and the salaries and allowances payable to, and the other terms and conditions of service of the Chief Information Commissioner in the Central Information Commission are the same as that of the Chief Election Commissioner and the Information Commissioners are as that of an Election Commissioner which in turn are equal to that of a Judge of the Supreme Court of India. Similarly, the salaries and allowances of the State Chief Information Commissioner and the State Information Commissioners are equal to that of an Election Commissioner and the Chief Secretary to the State Government, respectively.

3. It may be recalled that the Cabinet, in its meeting held on 4th April, 2018 had earlier accorded its approval for amending sections 13 (5) and 16 (5) of the RTI Act so as to provide that the salaries, allowances and other terms and conditions of service of the Chief Information Commissioner and the Information Commissioners of the Central Information Commission and State Chief Information Commissioner and State Information Commissioners shall be such as may be prescribed by the Central Government by rules. Consequential changes were also proposed in section 27 relating to rule making powers of the Central Government.

4. The Cabinet, while approving the proposal of the administrative Ministry, directed that the term of office of the Chief Information Commissioner, Information Commissioners, State Chief Information Commissioner and State Information Commissioners be also prescribed by the Central Government. To give effect to the directions of the Cabinet, it is also proposed to amend sections 13 (1), 13 (2), 16 (1) and 16 (2), relating to their term of office.

5. The administrative Ministry has stated in the Draft Note that a notice of intention to move the Right to Information (Amendment) Bill, 2018 was given to the Rajya Sabha on 11th July, 2018. However, the Bill was not included in the list of Business and therefore was not taken up for consideration by the Rajya Sabha.

6. Now, the administrative Ministry has proposed to introduce a fresh Right to Information (Amendment) Bill, 2019 in Parliament. It is proposed to make the following amendments to the Right to Information Act, 2005 (hereinafter referred to as the said Act):-

(i) to amend section 13 of the said Act, so as to provide that the term of office, and the salaries, allowances and other terms and conditions of service, of the Chief Information Commissioner and the Information Commissioners of the Central Information Commission shall be such as may be prescribed by rules made by the Central Government. It is further proposed to provide that the Chief Information Commissioner and the Information Commissioners appointed prior to the commencement of the proposed legislation shall continue to be governed by the existing provisions of the Act;

(ii) to amend section 16 of the said Act, so as to provide that the term of office, and the salaries, allowances and other terms and conditions of service, of the State Chief Information Commissioner and the State Information Commissioners shall be such as may be prescribed by rules made by the Central Government. It is further proposed to provide that the State Chief Information Commissioner and the State Information Commissioners appointed prior to the commencement of the proposed legislation shall continue to be governed by the existing provisions of the Act; and

(iii) to make consequential amendments in section 27 relating to rule making powers of the Central Government.

7. On the basis of the proposal contained in the draft Note for the Cabinet and the discussions held with the officers of the administrative Ministry, a draft Bill, namely, the Right to Information (Amendment) Bill, 2019 has been prepared and a copy thereof is placed at **Flag 'X'** for being appended as Appendix III to the Note for the Cabinet. The administrative Ministry has confirmed that the draft so prepared meets with their intentions and requirements and is in accordance with their proposal contained in the draft Note for the Cabinet.

8. The Department of Legal Affairs has examined the proposal of the administrative Ministry *vide* their notes at **Flag 'Y'** dated 9th July, 2019 and has concurred in the proposal of the administrative Ministry contained in the Cabinet Note.

9. We may concur in the proposal

(Akali V Konghay)
Deputy Legislative Counsel
09-07-2019.

JS&LC (Dr N.R/Battu)

N.R. Battu
9/7/19

Secretary

Ce. amny Rino
9/7/19

Havile M.L.S

Secy CD

9/7/19
Ce. amny Rino
10/7/19

JS&LC (Dr NR Battu)

N.R. Battu
10/7/19

Leg I

श्री.आर. मे प्राप्त हुआ RECEIVED IN C.R. कार्मिक एवं प्रशिक्षण विभाग Deptt. of Personnel & Trg.
19 JUL 2019 Personnel and Training

Ministry of Law & Justice, Department of Legislative Deptt. U.O.No. 1(29)/19 dated 10/07/2019.

✓ F/X

✓ F/Y

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Government of India
Ministry of Personnel, PG & Pension
Department of Personnel & Training
IR DIVISION

Subject: Amendment of the Right to information Act, 2005- introduction of a Bill in Parliament- regarding.

Main file is under submission.

2. The Draft Cabinet Note proposing amendment to the RTI Act, was earlier sent to Legislative Department, to be vetted and offer comments if any, to be incorporated in the Cabinet Note. The Draft RTI (Amendment) Bill, 2018 was finalized/vetted by the Legislative Department. (copy enclosed)

3. The File is again referred to Legislative Department, Ministry of Law & Justice forwarding the revised draft Cabinet note ^(along with draft bill) to be vetted and offer for comments if any, to be incorporated in the the Draft RTI (Amendment) Bill, 2019. This may kindly be given priority, as the Cabinet Note is placed before the Cabinet on 10.07.2019.

✓ F/A
DFA

Munaf
9/7/19
US (IR-2)

so (IR-4)

M.P. Singh
9.7.19

Sanyal
9/7/2019

Director (IR)

for approval pt

AS (R)

Secretary
09/07/19

V. Srinivas
09/7/19

Secy (D)

M. Narayana Raju
09/07/2019

AS (L)

9/7/19

Gangesh Kumar
09/07/2019
Sai Prakash

61/7/19
864

Dr. G. Narayana Raju, Secretary, Legislative Department, Ministry of Law & Justice

D/o Personnel & Training I.D. No. 1/1/2017-IR (Pt-2) dated 07.2019

Subject: Amendment of the RTI Act – proposal regarding.

Cabinet Secretariat have informed of the Cabinet approval of the Amendment to the Right to Information Act 2005. They have advised this department to request to issue an authority letter as the minutes of the Cabinet will take some more time.

2. Accordingly, draft is placed for approval pls.

~~Manoj~~
10/7/19

so(+K+H)

MP Singh
10.7.19

~~USC(R-2)~~

Sanyal
10/7/2019

~~Director (IR)~~

PPS

~~AS (R)~~

V Srinivas
10/7/19

F/C signed by AS
Prince

Form no of
Dir (Conf Sec)
23793504

~~USC (R II)~~

V Srinivas
10/7/19

~~SO (IR-2)~~

MP Singh
12.7.19

J
R
17

ASO (MK)

Subject: Amendment of the RTI Act – proposal regarding.

The matter under consideration on this file is amendment of section 13(1), 13(2), 13(5), sections 16(1), 16(2), 16(5) of RTI Act, 2005, relating to the salaries & allowances payable to and the terms & conditions of service of CIC/IC and State CIC/ICs respectively and also Section 27 of the RTI Act which empowers the appropriate Government to make Rules to implement provisions of RTI Act, 2005.

2. The approval of MOS(PP) for the amendment of the Section 13(5), Section 16(5) and Section 27 of the RTI Act as proposed was obtained on 04.03.2017.
3. File was referred to Legislative Department on 27th March, 2018 and DOLA 28th March, 2018, Ministry of Law & Justice alongwith the Draft Cabinet Note, Draft Notification for CIC (Salary and Allowances, Other Terms & Conditions) Rules, 2017 and the Draft RTI (Amendment) Bill, for further comments if any and vetting of the Notification and finalization of the Draft RTI (Amendment) Bill. They have concurred and finalised the RTI (Amendment) Bill, 2018.
4. Cabinet Note was sent for approval of Cabinet on 03.04.2018. Cabinet Secretariat had conveyed the approval of the Cabinet vide DO letter No 13/CM/2018 dated 5/4/2018. The Cabinet further directed that the term of office of Chief Information Commissioner, Information Commissioners, State Chief Information Commissioners and State Information Commissioners be as prescribed by the Central Government.
5. Legislative Department was requested to draft a Bill. Legislative Department drafted the Right to Information (Amendment) Bill, 2018. Notice of intention to move the Right to Information (Amendment) Bill, 2018 was given to Rajya Sabha on 5th April, 2018
6. The Bill was not included in the list of Business and therefore was not taken up for consideration by the Rajya Sabha.
7. Notice of intention to move the Right to Information (Amendment) Bill, 2018 was again given to Rajya Sabha on 11th July, 2018. However, the Bill was not included in the list of Business and therefore was not taken up for consideration by the Rajya Sabha.
8. The Right to Information (Amendment) Bill was earlier approved by Hon'ble Prime Minister on 03.04.2018. The Note for the Cabinet on

amendment of the Right to Information Act, 2005 which was approved by the Cabinet on 05.04.2018.

9. The Cabinet Note with the same proposal was earlier considered and approved by the Cabinet on 05.04.2018 vide Cabinet DO letter No 13/CM/2018 dated 5/4/2018. The Cabinet further directed that the term of office of Chief Information Commissioner, Information Commissioners, State Chief Information Commissioners and State Information Commissioners be as prescribed by the Central Government. The directions of the Cabinet mentioned above were carried out in the Bill and the Bill was given to Rajya Sabha on 11th July 2018. However the Bill was not included in the list of Business and therefore was not taken up for consideration by the Rajya Sabha.

10. With regards to the directions of the Cabinet mentioned above it is proposed to amend the Section 13(1), 13(2), 13(5), sections 16(1), 16(2), 16(5) and section 27 of RTI Act, 2005. For this purpose the draft Cabinet Note was put up for consideration of the Cabinet. The comments of Deptt. of Finance, Legislative Department & Deptt. of Legal Affairs obtained during the submission of the earlier proposal for amending the Section 13(5), Section 16(5) and Section 27 of the RTI Act. Hence no fresh inter-ministerial consultation has been undertaken now.

11. The Cabinet in its meeting on 10.07.2019 has considered Cabinet Note on Amendment of the Right to information Act, 2005. Cabinet Secretariat has been requested for authority letter in another part file under submission. In view of the above file is being forwarded to Legislative Department for further comments if any and vetting of the following documents:-

- i) Notice of intention to move for leave to introduce the Bill.
- ii) Notice of intention to move the following motions:-
 - c) that Bill be taken into consideration
 - d) that the Bill be passed
- iii) Request for relaxation of the requirements of Rule 123 of the Rules of Procedure and Conduct of Business in the Council of States for consideration of the Bill, as passed by Lok Sabha.
- iv) Statement of Objects and Reasons (SOR).

Submitted please.

Manoj
10/7/19

so (IR-11)

M.P. Singh
10/7/19

US (IR-2)

Statement of Objects & Reasons requires approval of MOS (PP), before sending the same to ~~Deptt~~ legislative Department.

Sayajkar
10/7/2019

Director (IR)

11/3/19

on next page

(from prepage)

The authority letter received from Cab. Sec. can be seen at F/A. Accordingly the documents detailed at para 11 at prepage are submitted for consideration and approval of Honble MoS (PP), before being sent to the Legislative Dept for vetting.

Submitted pt.

V Srinivas
11/7/19

AS (LR)

W.r.t. foregoing -

(i) 'A' above - may kindly be considered for approval.

(ii) Also, it may kindly be noted that the drafts of communications are for Secy. - Genl., Lok Sabha, implying that it is intended to introduce the Bill in Lok Sabha. This may be decided, along with a tentative date for the same (the draft has mentioned 17th July, 2019 tentatively).

Submitted.

~~Secy (P)~~



11/07/19

11/07/2019

902

11/7/19

MoS (P)

11/7/19

Gangesh Kumar
11/07/2019
Shri Mahesh

Secy (P)



11/7/2019

Secy (Leg Dept)
Leg - I

Co. analysis
11/7/19

11/7/2019
700

[F No.1(29)/2017-Leg.I]
Ministry of Law and Justice
Legislative Department

Subject: The Right to Information (Amendment) Bill, 2019, regarding-

The Department of Personnel and Training (the administrative Department) has, vide their notes on pre pages, forwarded the drafts of (i) the Notice for introduction, (ii) Notice for consideration and Passing (iii) Relaxation under rule 123 of the Rules of Procedure and Conduct of Business in the Lok Sabha and (iv) Statement of Objects and Reasons (SOR), for scrutiny and vetting by this Department in respect of the Right to Information (Amendment) Bill, 2019.

2. It may be recalled that the draft Right to Information (Amendment) Bill, 2019 was earlier concurred in by the Hon'ble MLJ on 9th July 2019 and the same was forwarded to the DOP&T on 10th July, 2019. However, the administrative Department vide paragraph 10 of their note, has stated that the present approval of the Cabinet has been obtained with our concurrence given earlier (March 2018) and without fresh inter Ministerial consultation. In this regard, we have received an authority letter No.22/CM/2019(vi), dated 10th July, 2019 from the Cabinet Secretariat stating that the Cabinet, in its meeting held on 10.07.2019, considered the Note dated 9.07.2019 (CD-601/2019) from the Department of Personnel and Training regarding Right to Information (Amendment) Bill, 2019 in Parliament" and approved the proposal contained in paragraph 8 thereof.

3. The draft Statement of Objects and Reasons (SOR) has been examined and the same has been revised in this Department. The documents mentioned at (i) to (iii) at para 2 above does not require vetting by this Department. It is observed that a Memorandum Regarding Delegated Legislation (MRDL) is also required to be attached with the Bill as the proposed Right to Information (Amendment) Bill, 2019 makes provision for rule making by the Central Government. Accordingly, MRDL has been prepared and copies of the revised SOR along with MRDL are placed below at [redacted] and [redacted]. The administrative Ministry has confirmed that it meets with their intentions and requirements.

4. The administrative Ministry is advised to forward to this Department, the Statement of Objects and Reasons duly signed by the Hon'ble Minister in charge and also give necessary notice for introduction of the Bill to the House in which they intend to introduce the proposed Right to Information (Amendment) Bill, 2019, and a copy of the said notice be endorsed to this Department, for taking further necessary action in the matter.

5. Submitted for approval please.

(Akali V Konghay)
Additional Legislative Counsel
Tel: 23381588
12.07.2019

JS&LC (Dr.N.R.Battu)

Secretary

JS & LC (Dr NR Battu)

DOP&T

Mo Personnel and Training

Min Law & Justice, L.O.D.U.O.No.1(29)/2017-LI, dated
12/07/2019

N.R. Battu
12/7/19
C. Sekhri
12/7/19
N.R. Battu
12/7/19

✓ 1/X

✓ 1/Y

Subject: Amendment of the RTI Act – proposal regarding.

The matter under consideration on this file is amendment of section 13(1), 13(2), 13(5), sections 16(1), 16(2), 16(5) of RTI Act, 2005, relating to the salaries & allowances payable to and the terms & conditions of service of CIC/IC and State CIC/ICs respectively and also Section 27 of the RTI Act which empowers the appropriate Government to make Rules to implement provisions of RTI Act, 2005.

2. The approval of MOS(PP) for the amendment of the Section 13(5), Section 16(5) and Section 27 of the RTI Act as proposed was obtained on 04.03.2017.

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8. The Right to Information (Amendment) Bill was earlier approved by Hon'ble Prime Minister on 03.04.2018. The Note for the Cabinet on

amendment of the Right to Information Act, 2005 which was approved by the Cabinet on 05.04.2018.

9. The Cabinet Note with the same proposal was earlier considered and approved by the Cabinet on 05.04.2018 vide Cabinet DO letter No 13/CM/2018 dated 5/4/2018. The Cabinet further directed that the term of office of Chief Information Commissioner, Information Commissioners, State Chief Information Commissioners and State Information Commissioners be as prescribed by the Central Government. The directions of the Cabinet mentioned above were carried out in the Bill and the Bill was given to Rajya Sabha on 11th July 2018. However the Bill was not included in the list of Business and therefore was not taken up for consideration by the Rajya Sabha.

10. With regards to the directions of the Cabinet mentioned above it is proposed to amend the Section 13(1), 13(2), 13(5), sections 16(1), 16(2), 16(5) and section 27 of RTI Act, 2005. For this purpose the draft Cabinet Note was put up for consideration of the Cabinet. The comments of Deptt. of Finance, Legislative Department & Deptt. of Legal Affairs obtained during the submission of the earlier proposal for amending the Section 13(5), Section 16(5) and Section 27 of the RTI Act. Hence no fresh inter-ministerial consultation has been undertaken now.

11. The Cabinet in its meeting on 10.07.2019 has considered Cabinet Note on Amendment of the Right to information Act, 2005. Cabinet Secretariat has been requested for authority letter in another part file under submission. In view of the above file is being forwarded to D/o Legal Affairs for further comments if any and vetting of the following documents:-

- i) Notice of intention to move for leave to introduce the Bill.
- ii) Notice of intention to move the following motions:-
 - a) that Bill be taken into consideration
 - b) that the Bill be passed
- iii) Request for relaxation of the requirements of Rule 123 of the Rules of Procedure and Conduct of Business in the Council of States for consideration of the Bill, as passed by Lok Sabha.
- iv) Statement of Objects and Reasons (SOR).

Submitted please.

~~M. Manoj~~
10/7/19

~~soft IR II~~

Mr. Singh
10.7.19

~~US (IR-2)~~

Approval of MOS (PP) has been obtained and copy of the same is at flag A.

Sanyal
10/7/2019

~~Director (IR)~~

AS (R)

~~Dir (IR)~~

~~Secretary~~

V. Sankar
10/7/19

11/07/19

~~12/7/19~~
~~US (IR II)~~

Sanyal
12/7/19

V. Sankar
12/7/19

~~soft IR-2~~

Mr. Singh
12.7.19

~ 18

Secretary Department of Legal Affairs

Nh
12/7/19

Secretary (L1)

Co. asst. Secy
13/7/19

Leg. I

335855/L1/19
12/7/19

Secretary (Legal Affairs)
Secretary (L1)
13/7/2019

Gangesh Kumar
15/07/2019

Shri Sanjeev

920
15/7/19

G.O.L. :- 19
IR Division
D.O.P.T
6

F.No-111/17-IR (PT)

The draft SOR and MRSL provided by the legislative Deptt today has been counter-signed by the undersigned to confirm that it serves the purpose of this deptt. May pl see before the same are sent back.

AS (R)

M. N. M. 12/07/19

V. Srinivas
12/3/15

Secy (P)

M. N. M. 12/7/2019

ASO (DL)

Legislative Department
Legislative I Section

Subject:- Amendment of the Right to Information Act, 2005 -- regarding.

Dy. No.920/2019-L.I dated 15.07.2019/FR

We have received a file No.1/1/2017-IR(Pt.IV) on 15.07.2019 from the Ministry of Personnel, Public Grievances and Pension, Department of Personnel and Training regarding the subject cited above forwarding therewith Draft Statement and Objects, Notices for introduction, consideration and passing, and memorandum for consideration to this Department for vetting.

Submitted please.

Gangesh Kumar
15/07/2019

Received
15/7/2019

IS&LC(Dr. N.R. Bhattu)

SOR & MRDL of the said Bill was approved / confirmed by

Secretary on 12/7/19. The file may be return to said Ministry.

N. R. Bhattu
15/7/19

Leg / I

of Personnel and Training

M/o Law & Justice, to D.U.D. NO.1(29)/2017-LI, dated 15/07/19

1383074/19

प्राप्त हुआ
RECEIVED IN C.R.
विशेष एवं प्रशिक्षण विभाग
Personnel & Trg.

15 JUL 2019

Government of India
Ministry of Personnel, PG Pensions
Department of Personnel and Training
IR Division

Subject: Amendment of the Right to Information (RTI) Act- Introduction of a Bill in the Parliament

The matter under consideration on this file is amendment of section 13, section 16 and section 27 of RTI Act, 2005.

2. Cabinet Note was sent to Cabinet Secretariat on 10.07.2019 for approval to the proposal contained therein regarding the amendment to the RTI Act, 2005. Cabinet has conveyed its approval for the introduction of a "The Right to Information (Amendment) Bill, 2019" in Parliament for making amendment to section 13, 16, and section 27 of RTI Act, 2005, relating to the salaries & allowances and other terms & conditions of service of Chief Information Commissioner (CIC)/Information Commissioner (ICs) in Central Information Commission (CIC) and State Chief Information Commissioner (SCIC) State Information Commissioners(SICs) in State Information Commissions. The proposal has been approved by the Cabinet on 10.07.2019 and has to be introduced in the current session of Lok Sabha.

3 " The Right to Information (Amendment) Bill, 2019", is proposed to be introduced in the Lok Sabha on 17th July, 2019. In this regard following drafts/ document are placed for approval and signature of Hon'ble MoS[PP] :-

Letters for Lok Sabha

- i Notice of intention to move for leave to introduce the Bill on 17th July, 2019 [Flag A]
- ii Request for relaxation of the requirements of Direction 19A/19B of the Direction of the Speaker for consideration of the Bill (Explanatory Memorandum elucidating the reason and justifications for seeking such relaxation to be enclosed). [Flag B]
- iii Notice of intention to move the following motions:-
 - a. That the Bill be taken into consideration.
 - b. That the Bill be passed. [Flag C]
- iv Request for inclusion of the Bill in the List of Business due to urgency and importance of the Bill (for introduction). [Flag D]
- v. Request for not referring the Bill to the Department-related Parliamentary Standing Committee. [Flag E]

Manoj
15/7/19

so (IR)

M.P. Singh
15.7.19

US (IR-11) OL
US (IR-12) L-O

Dir. (IR)

Abh
15/7/19

ASCLR)

Secy (P)

M. M.

V. Sinha
15/7/19

15/7/2019.

MoS (P) 15.7.19

F.No.1/1/2017-IR (Pt III)
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel and Training
IR (Division)

Subject: Proposal to amend Section 13, 16 and Section 27 of the RTI Act, 2005.

The matter under consideration in this file relates to amendment of the RTI Act, 2005. The Cabinet has approved these proposals on 10.07.2019.

F/x

F/S

2. Accordingly, a draft Statement of Objects and Reasons (SOR) was prepared and sent to the Legislative Department for vetting. The final draft of the Statement of Object and Reasons as vetted by Legislative Department is placed at F/S. A clean copy of the Statement of Objects and Reasons is now required to be sent to the Ministry of Law and Justice (Legislative Department). Duly approved and signed by Hon'ble MOS(PP).

3. The SOR may, therefore, be placed before Hon'ble MOS(PP) for his kind approval and signature.

4. Two copies of the Statement of Objects and Reasons are kept in a separate folder on the file for signature of Hon'ble MOS(PP).

Manoj
15/7/19

SO(IR-11)

M.R. Singh
15.7.19

US(IR-2) on Training
~~US(IR-1) L.O.~~

Blum
15.7.19

Dir (IR)

V. Singh
15/7/19

AS CLR)
Secy (P)

M. M. _____

15/07/2019

MOS (P)
15.7.19

Government of India
Ministry of Personnel, PG Pensions
Department of Personnel and Training
IR Division

Subject: Amendment of the Right to Information (RTI) Act- Introduction of the Bill in Rajya Sabha as passed by the Lok Sabha.

The Right to Information (Amendment) Bill, 2019 has been sent for introduction in the Lok Sabha.

2. Once the Bill is passed by the Lok Sabha it shall be transmitted to the Rajya Sabha for consideration and passage. In this regard following draft letters/ notices are placed for consideration / approval of Hon'ble MoS[PP] :-

i Request for relaxation of the requirement of Rule 123 of the Rules of Procedure and Conduct of Business in the Council of States (Rajya Sabha) for consideration of the Bill along with Explanatory Memorandum elucidating the reason and justifications for seeking such relaxation. **[Flag A]**

ii Notice of intention to move the following motions:-
a. That the Bill as passed by Lok Sabha be taken into consideration.
b. That the Bill be passed. **[Flag B]**

iii Request for inclusion of the Bill in the List of Business due to urgency and importance of the Bill (for introduction). **[Flag C]**

iv. Request for not referring the Bill to the Department-related Parliamentary Standing Committee. **[Flag D]**

Submitted please.

Manoj
17/7/19

US (IR-2) on Training
US (IR-1) L.O.

SO (IR-11)

M.P. Singh
17.7.19

Di. (IR)

AS (LR)

Secy (P)

18/07/19

18/07/2019

MoS (P)

1/2/18.7.19

Secy (P)

Reference from pre-page:-

Fair letters as approved w.r.t. Introduction of RTI (Amendment) Bill, 2019 in Rajya Sabha as passed by the Lok Sabha, are placed below for kind signature of MOS(PP) please.

Rhr
22.7.19

Dir. (IR)

AS (CR)

V. Sankar
22/7/19

Secretary

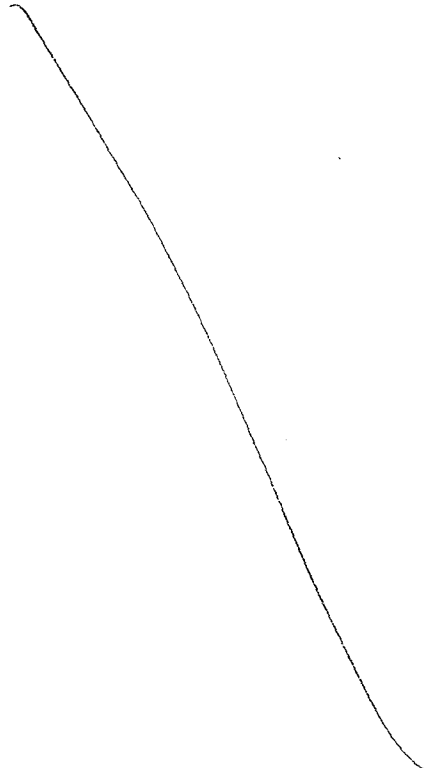
22/07/19

Secy (P)

M. M. M.
22/07/2019

MOS (P)

22/7/22.7.19



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

RTI Amendment Bill, 2019 was passed by the Lok Sabha on 22.07.2019 and Rajya Sabha on 25.07.2019. The Bill received the assent of the President on 1st August, 2019. The RTI (Amendment) Act, 2019 was notified, by the Legislative Department, in the Gazette of India on 1st August, 2019. Notification to bring into force the provision of the RTI (Amendment) Act, 2019 has been published in the in the Gazette of India, Extraordinary under Part II, Section 3, Sub-Section (ii) on 24.10.2019.

2. As discussed, we may merge the part files into the main file.

Submitted for consideration please.

Manoj
26/12/19

So (IR-1)

US (IR-1)

So (IR-2)

Birendra
26/12/19

Sayaj Kumar
26/12/2019

Subject: The RTI (Amendment) Bill, 2019 regarding.

The RTI (Amendment) Act, 2019 received the assent of the President on 1st August, 2019. The RTI (Amendment) Act, 2019 was notified in the Gazette of India by the Legislative Department on 1st August, 2019.

2. In an RTI Reply to Shri Chitragada Choudhary vide registration No. DOP&T/R/2019/54371 dated 26.07.2019 regarding RTI Amendment Bill 2019, it was stated that "The matter is under process and further to mention that the relevant files will be uploaded on website of DoPT in due course". (US IR-2 was on training upto 30.09.2019, the RTI was disposed of by US RTI-1)

3. A no. of RTI applications have been received in this division seeking inspection/photocopies of the file relating to RTI Amendment Act 2019.

4. In view of the above, the file is submitted for consideration and approval to upload the file on the website of DoPT on the lines of earlier file uploaded on DoPT website.

Hemraj
9/1/2020
SO (IR-II)
US (IR-D)
Director (IR)

Bikeesh
9/1/2020
Sanyam Kumar
09.01.2020

V. Sankar
09/01/20

ASC (R)

Madhyan 13/01/2020

Secy (P)

M. M. M. 15/01/2020