

# Central Commission

# Information

July 9, 2021

## In news

Recently, the Supreme Court asked the Central government to give details about the pendency of cases in the Central Information Commission(CIC).

## Key updates

- The Apex court asked the government to place on record the latest information on the appointment of Information Commissioners, vacancies and pendency of cases in the CIC.
- The pendency of cases at the CIC has crossed 36,000 while in Maharashtra, it has crossed 75,000 cases due to continuing vacancies of information commissioners.
- It is alleged that “party acolytes” and bureaucrats have been shortlisted and appointed to the CIC in an opaque manner despite a specific direction from the court in 2019.
- The court had said that the appointment process should be transparent and has to be put in the public domain.
- The court had directed in 2019 that the criteria for selection should be formulated and made public.
- The court also directed the States to also file status reports on the appointments, vacancies and pendency in their respective information commissions.

## About Central Information Commission(CIC)

- **Formation:** CIC was constituted in 2005 under the Right to Information Act, 2005.

- **Jurisdiction:** The jurisdiction of the Commission extends over all Central Public Authorities.
- **Composition:** The Central Information Commission shall consist of the Chief Information Commissioner (CIC) and such number of Central Information Commissioners not exceeding 10 as may be deemed necessary. They are appointed by the President of India on the recommendation of a committee.

### **Eligibility criteria & process of appointment**

Section 12(3) of the RTI Act 2005 provides (selection committee) as follows .

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

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

Section 12(6) of the RTI Act 2005 provides that **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, or hold any other office of profit** or connected with any political party or carrying on any business or pursuing any profession.

### **Term of office and other service conditions of CIC**

- The Chief Information Commissioner shall hold **office for a term of five years** from the date on which he enters upon his office and **shall not be eligible for**

### **reappointment**

- The **salaries and allowances** payable to and other terms and conditions of service of the Chief Information Commissioner shall be the **same as that of the Chief Election Commissioner**.

### **Its powers & functions**

The Commission has certain powers and functions mentioned in sections 18, 19, 20 and 25 of the RTI Act, 2005. These broadly relate to

- Adjudication in second appeal for giving information.
- Direction for record keeping.
- Suo motu disclosures receiving and enquiring into a complaint on inability to file RTI etc
- Imposition of penalties and Monitoring and Reporting including preparation of an Annual Report.
- The decisions of the Commission are final and binding.