

2. Appointment of Chief Information Commissioner- Polity

Eight new Information Commissioners administered oath of office in Central Information Commission. The President recently appointed Raj Kumar Goyal as the Chief Information Commissioner (CIC) of the statutory Central Information Commission. This body, established under the RTI Act 2005, acts as the final appellate authority for central public bodies, possessing civil court powers to ensure transparency and accountability.

Appointment of Chief Information Commissioner

Context- The President of India recently administered the oath of office to Shri Raj Kumar Goyal as the Chief Information Commissioner of the Central Information Commission (CIC).

About Central Information Commission (CIC)

Nature of Body- The CIC is a statutory body, not a constitutional body.

Establishment- It was constituted under the Right to Information Act, 2005.

Jurisdiction- Its mandate extends over all Central Public Authorities, ensuring transparency in the functioning of the Union Government.

Composition and Structure- The Commission is a multi-member body consisting of

Chief Information Commissioner (CIC)- The head of the Commission.

Information Commissioners (IC)- Not more than ten members.

Appointment Mechanism

The members are appointed by the President of India based on the recommendation of a high-powered Selection Committee.

Selection Committee Members

1. **Chairperson-** The Prime Minister of India.
2. **Member-** The Leader of Opposition in the Lok Sabha.
3. **Member-** A Union Cabinet Minister nominated by the Prime Minister.

Tenure and Service Conditions

Duration- The Chief Information Commissioner and Information Commissioners hold office for a term of **three years** from the date they enter upon their office.

(Note- The original 2005 Act specified 5 years or age 65, but the RTI Amendment Act, 2019 empowered the Central Government to prescribe the tenure, which is currently notified as 3 years).

Eligibility Criteria- According to Section 12(5) of the RTI Act, 2005, the criteria for appointment are strictly defined to ensure independence and expertise.

Qualifications (Persons of Eminence)- Candidates must be persons of eminence in public life with wide knowledge and experience in Law, Science and Technology, Social Service, Management, Journalism, Mass Media, Administration and Governance

Disqualifications (To ensure Independence)- A person shall NOT be eligible if they

1. Are a Member of Parliament (MP).
2. Are a Member of the Legislature of any State or Union Territory (MLA/MLC).
3. Hold any other office of profit.
4. Are connected with any political party.
5. Carry on any business or pursue any profession.

Powers and Functions

The CIC functions as the highest appellate authority under the RTI Act and possesses significant judicial powers.

Civil Court Powers- While inquiring into a complaint, the Commission is vested with the powers of a Civil Court under the Code of Civil Procedure, 1908, in respect of

Summoning- Enforcing the attendance of persons and compelling them to give oral/written evidence on oath.

Documents- Compelling the production of documents or things.

Discovery- Requiring the discovery and inspection of documents.

Affidavits- Receiving evidence on affidavit.

Public Records- Requisitioning any public record from any court or office.

Witnesses- Issuing summons for the examination of witnesses or documents.

Inquiry Powers

Unrestricted Access- During the inquiry of a complaint, the Commission is empowered to examine any record under the control of the public authority.

No Withholding- Crucially, no such record can be withheld from the Commission on any grounds (overriding the Official Secrets Act in specific contexts of the inquiry).

Nature of Decisions

The decisions taken by the Commission in appeal and complaint proceedings are final and binding on the public authorities.

Quick Revision Card- CIC vs. State Information Commission (SIC)

Feature	Central Information Commission (CIC)	State Information Commission (SIC)
Appointed By	President	Governor
Committee Head	Prime Minister	Chief Minister
Committee Members	PM + Leader of Opp (LS) + Union Cabinet Minister	CM + Leader of Opp (LA) + State Cabinet Minister
Jurisdiction	Central Government Bodies	State Government Bodies

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