

Central Information Commission

- CIC

[UPSC Notes]

What is Central Information Commission?

The Central Information Commission or CIC is a statutory body established under the Right to Information Act, 2005. Section 12 of the Right to Information Act, 2005 deals with forming the Central Information Commission.

- The present CIC Commissioner is Yashvardhan Kumar Sinha.

The Chief Information Commission is also the watchdog of informative secrecy and denial of information. The constitution of India under Article 19 gives the right to freedom of speech and expression, but speech and expression come from knowledge and information.

Composition of Central Information Commission

The Central Information Commission is headed by a Chief Information Commissioner and has a maximum of 10 Information Commissioners.

- The CIC members should be people of eminent personal life with a wide knowledge of laws, science and technology, social service, management, journalism, governance, etc.
- The president appoints the Central Information Commission on the committee's recommendation, consisting of the prime minister as head, the opposition leader in Lok Sabha, and any cabinet ministers of the union nominated by the prime minister as members.
- The tenure of the CIC Commissioner and Information Commissioners is decided by the central government or until they attain the age of 65 years, whichever is earlier.
- They are not eligible for reappointment.
- The salary, allowances, and service conditions of the Chief Information Commissioner or Information Commissioners depend on the central government.
- The president can remove the Central Information Commission on the advice of the Supreme Court on the ground of proven misbehaviour or incapacity.

CIC Commissioner

The Appointment Committee of Central Chief Information Commissioner consists of the President of India, on whose recommendation the appointment committee consists of the Prime Minister, the leader of the opposition in Lok Sabha, and a Cabinet Minister, appointed by the Prime Minister.

Service Conditions and Tenure of Chief Information Commissioner

The Chief Information Commissioner and Information Commissioner hold the office as prescribed by the government of India or until they age 65 years or whatever applies first. There is no concept of reappointment of the members. The president of India can remove the tenure of the Chief Information Commissioner or the Information Commissioner under the following circumstances-

- If the member is convicted of any offence, in the opinion of the President of India.
- If the member is adjudged insolvent.
- If the member gets engaged during the term of office in any paid employment outside the duties of the office.
- If the member is involved in financial activities, which are likely to affect the prejudice of the official functions.

Functions of the Central Information Commission

As the Central Information Commission was established under the RTI act 2005. The Right to Information Act is a tool that has been instrumental in unearthing corruption and institutionalizing democracy.

- The Central Information Commission is also empowered to look into the complaints about the Right to Information from governmental institutions, financial institutions, and public sector institutions.
- The Chief Information Commissioner is also known as the watchdog of Informative secrecy.
- The Chief Information Commission also has powers to fine Public Service with respect to negligence in giving information.
- The Central Information Commission looks into the cases related to-
 - Non-appointment of Public Information Officer.
 - Not giving information on time.
 - Information that is given is false or misleading.
 - The fees charged that is unreasonable.
- It has the power of civil court concerning -
 - Summoning
 - Producing documents and public records.
 - Requiring evidence on affidavits.
- The Chief Information Commission is an active body that safeguards the rights of citizens in securing -
 - Compliance and access to information.
 - Encourage proactive disclosure.
 - Ensuring that information is categorized and published.

- How the records can be kept.
- The Central Information Commission submits its annual report to the Government of India, which is then placed before both houses of the Parliament.

Issues with Central Information Commission

- There is always an issue with respect to the transparency in the appointment of the Central Information Commission, as there has been no documentation with respect to the selection criteria of the Central Information Commission.
- After submitting an appeal or complaint to the Central Information Commission, the applicant must wait more than a year for it to be resolved.
- It is rarely seen that government officials are punished after breaking the law.
- Despite the repeated directions from the court, there are still vacancies in the Central Information Commission.
- Recently, the Supreme Court ruled that the central government and all state governments have to give a status report of the latest developments regarding the pendency of cases and vacancies in the state information commission and central information commission.

RTI Act and Central Information Commission

The Right to Information Act has been India's tool and structural change to combat corruption. In the open and transparent governmental functioning, files have been moved with transparency and accountability.

- The Right to Information Act of 2005 is more instrumental in bringing transparency than any other previous attempt.
- Section 12 and Section 15 of the RTI Act, 2005 deal with the formation of the Central Information Commission and State Information Commission. Some sections of the RTI Act, 2005 related to the Central Information Commission are :
 - Section 13- Tenure, salary, allowances, and service conditions are decided by the Central government.
 - Section 14- Removal of Chief Information Commissioner and Information Commissioner. i.e. They can be removed by the President on the advice of the supreme court.
- Central Information Commission and Right to Information Act, 2005 has monumentally changed governmental functioning and raised the level of accountability and transparency as. Transparency is an important way to address developmental failures and democratic deficits and accountability. (democracy is not a periodic or the 5-year affair but a daily plebiscite).

Central Information Commission - Draft Rules

Recently drafted rules were released by the department of personnel and training in which power, perks, etc. of the Chief Information Commissioner and Information Commissioner were released like-

- The earlier tenure of 5 years and pay and perks that were similar to the Election Commission has changed. Now their tenure, power, condition, perks, and pay are decided by the government.
- According to the recent department of personnel and training, the terms of the condition of the central information commission, which includes his pay/perks, should be similar to that of the Cabinet Secretary, which is significantly lower than the Election Commission.
- It also implies that they will be downgraded to various notches in the Table of Precedence.
- If it is accepted, the sumptuary allowances will see a fall of Rs 10,000 per month and will also become ineligible for various other allowances available to Chief Election Commissioner and Election Commissioner.

CIC of India

The CIC of India =has to fill the vacant post as soon as possible and provide transparency in the appointment of the Central Information Commission as there is no documentation regarding the selection criteria.

- The commission also has to work on pending cases of applicants seeking information by increasing its composition.
- The Commission's role should be to ensure accountability to the public and also help in reducing corruption by putting a stop to the use of black money in the election.
- The Commission should include effective grievance redressal to check corruption, nepotism, and misuse of authority.