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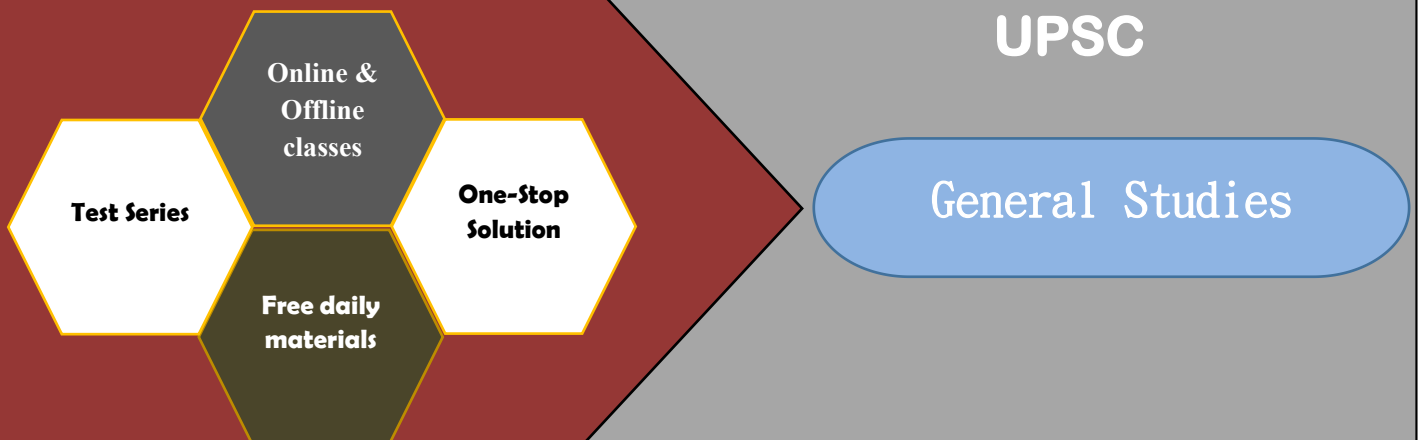
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Central Information Commission (CIC)

Notes for civil services preparation



Central Information Commission (CIC)

- The **Supreme Court** has directed the **Union of India and all States** to file status reports on the latest developments regarding **vacancies and pendency** in the **Central Information Commission (CIC) and State Information Commissions (SICs)**.

Key Points

About Central Information Commission (CIC):

- **Establishment:** The CIC was established by the **Central Government in 2005**, under the provisions of the **Right to Information Act (2005)**. It is **not a constitutional body**.
- **Members:** It consists of a **Chief Information Commissioner and not more than ten Information Commissioners**.
- **Appointment:** They are appointed by the President on the recommendation of a committee consisting of the **Prime Minister as Chairperson, the Leader of Opposition in the Lok Sabha and a Union Cabinet Minister nominated by the Prime Minister**.
- **Jurisdiction:** The jurisdiction of the Commission extends over all Central Public Authorities.
- **Tenure:** The Chief Information Commissioner and an Information Commissioner shall hold office for such term as prescribed by the **Central Government or until they attain the age of 65 years**, whichever is earlier.
- They are **not eligible for reappointment**.

Power and Functions of CIC:

- To **receive and inquire into a complaint from any person** regarding information requested under RTI, 2005.
- It can **order an inquiry into any matter** if there are reasonable grounds (suo-moto power).
- While inquiring, the Commission has the powers of a **civil court in respect of summoning, requiring documents etc.**

Issues:**Delays and Backlogs:**

- On average, the CIC **takes 388 days (more than one year)** to dispose of an appeal/complaint from the date it was filed before the commission.
- A report released last year has pointed out that **more than 2 lakh Right to information cases are pending** at the Central and State Information Commissions (ICs).

No Penalties:

- The report found that the Government officials hardly face any punishment for violating the law.
- Penalties were **imposed in only 2% of cases** that were disposed of, despite previous analysis showing a rate of about 59% violations which should have triggered the process of penalty imposition.

Vacancy:

- Despite repeated directions from the court, there are still **three vacancies in the CIC**.

Lack of Transparency:

- The criteria of selection, etc, nothing has been placed on record.

Way Forward

- Democracy is all about the **governance of the people, by the people and for the people**. In order to achieve the third paradigm, the state needs to start acknowledging the importance of an informed public and the role that it plays in the country's development as a nation. In this context, **underlying issues related to RTI Act should be resolved**, so that it can serve the information needs of society.
- The **role of information commissions is crucial especially during Covid-19** to ensure that people can obtain information on healthcare facilities, social security programs and delivery of essential goods and services meant for those in distress.

- By its 2019 order, the apex court had passed a slew of directions to the Central and State governments to fill vacancies across Central and State Information Commissions in a transparent and timely manner.
- **Urgent digitization of records and proper record management** is important as lack of remote access to records in the lockdown has been widely cited as the reason for not being able to conduct hearings of appeals and complaints by commissions.

