

**APPOINTMENT OF STATE CHIEF INFORMATION COMMISSIONER AND
FOUR STATE INFORMATION COMMISSIONERS
IN TAMIL NADU INFORMATION COMMISSION**

As per the notification in G.O.Ms.No.109 (Human Resources Management Department) dated 07.10.2022, the Government of Tamil Nadu has constituted a Search Committee consisting of Mr. Justice G.M. Akbar Ali (Retd.), Chairperson; Mr. Shiv Das Meena I.A.S., Additional Chief Secretary, Member; and Mr.K. Allaudin I.A.S. (Retd.), Member; for the purpose of short-listing the candidates to be considered for the appointment of State Chief Information Commissioner and Four State Information Commissioners and to be submitted to the Chairperson of the Selection Committee as prescribed under section 15(3) of the Right to Information Act 2005.

The Search Committee invites applications from the interested persons who 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 for the appointment of State Chief Information Commissioner and four State Information Commissioners (Refer: Section 15(5) of the RTI Act, 2005).

As per Section 15(6) of the RTI Act, 2005, the State Chief Information Commissioner or a State Information Commissioner shall not be a Member of Parliament or Member of the Legislature of any State or Union Territory, as the case may be, or hold any other office of profit or connected with any political party or carrying on any business or pursuing any profession.

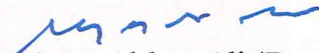
The tenure of the office of the State Chief Information Commissioner and the State Information Commissioners shall be for three years (as amended by RTI (Amendment) Act, 2019) or till he/she attains the age of sixty-five years, whichever is earlier. The salaries and other terms of office shall be as per the Rules in force.

Interested person may send his / her application in the prescribed form along with relevant documents by Speed Post / Registered Post / e-Mail so

as to reach the following address on or before 5.00 pm of 16th November 2022 (Wednesday):

Justice G.M. Akbar Ali (Retd.),
Chairperson, Search Committee,
Second Floor, Catholic Center,
No.108, Armenian Street,
Parry's – Chennai 600001.
e-Mail ID: gmakbarali52@gmail.com

The applications received after the closing date and time shall not be entertained. The applications already sent, if any, to the Chairperson of the Search Committee or to any other authority before publication of this advertisement will not be considered as valid application.


Justice G.M. Akbar Ali (Retd.),
Chairperson,
Search Committee.

**APPLICATION FOR THE POSITION OF STATE CHIEF INFORMATION
COMMISSIONER /STATE INFORMATION COMMISSIONER**

[Please tick (√) the relevant position]

1. Name :
Name of Father/Husband :
2. Date of Birth & Age :
3. Community : BC / MBC / SC / ST/ Others
4. (a) Permanent Address :

(b) Address for Communication:
(if it is different from
Permanent address)

5. (a) Landline Phone Number :
(b) Mobile No. :
(c) Mail ID :

6. Educational Qualifications :
7. Profession / Occupation :

8. No. of years of experience in the respective field:

Sl. No.	Field of Experience	Duration in Years (From/To)

9. Field of Eminence:
Law/Science/Social Service/Management/Journalism/
Mass Media/Administration/Governance[Please tick (√) the relevant
position]

10. Awards / Certificates and any other relevant documents in support of claim of eminence (Copies to be enclosed).
11. Brief note about services in public life with proof in support of the claim (not more than 200 words-typed):
12. Vision Statement as the State Information Commissioner (not more than 200 words-typed)

DECLARATION

I certify that I have not been punished for any offence and that I am not an undischarged insolvent. I also do not suffer from any other disqualifications which make me unfit for the position applied for.

I further certify that the details furnished above are true and correct to the best of my knowledge and information. If any information furnished above are found to be incorrect / false, I understand that my candidature will be rejected and will not be considered for the position applied for.

Place :

Date :

Signature :

Name :
(in CAPITAL LETTERS)

disadvantage after their appointment.

(6) The Central Government shall provide the Chief Information Commissioner and the Information Commissioners with such officers and employees as may be necessary for the efficient performance of their functions under this Act, and the salaries and allowances payable to and the terms and conditions of service of the officers and other employees appointed for the purpose of this Act shall be such as may be prescribed.

14. (1) Subject to the provisions of sub-section (3), the Chief Information Commissioner or any Information Commissioner shall be removed from his office only by order of the President on the ground of proved misbehaviour or incapacity after the Supreme Court, on a reference made to it by the President, has, on inquiry, reported that the Chief Information Commissioner or any Information Commissioner, as the case may be, ought on such ground be removed.

Removal of Chief Information Commissioner or Information Commissioner.

(2) The President may suspend from office, and if deem necessary prohibit also from attending the office during inquiry, the Chief Information Commissioner or Information Commissioner in respect of whom a reference has been made to the Supreme Court under sub-section (1) until the President has passed orders on receipt of the report of the Supreme Court on such reference.

(3) Notwithstanding anything contained in sub-section (1), the President may by order remove from office the Chief Information Commissioner or any Information Commissioner if the Chief Information Commissioner or a Information Commissioner, as the case may be,—

- (a) is adjudged an insolvent; or
- (b) has been convicted of an offence which, in the opinion of the President, involves moral turpitude; or
- (c) engages during his term of office in any paid employment outside the duties of his office; or
- (d) is, in the opinion of the President, unfit to continue in office by reason of infirmity of mind or body; or
- (e) has acquired such financial or other interest as is likely to affect prejudicially his functions as the Chief Information Commissioner or a Information Commissioner.

(4) If the Chief Information Commissioner or a Information Commissioner in any way, concerned or interested in any contract or agreement made by or on behalf of the Government of India or participates in any way in the profit thereof or in any benefit or emolument arising therefrom otherwise than as a member and in common with the other members of an incorporated company, he shall, for the purposes of sub-section (1), be deemed to be guilty of misbehaviour.

CHAPTER IV

The State Information Commission

15. (1) Every State Government shall, by notification in the Official Gazette, constitute a body to be known as the (name of the State) Information Commission to exercise the powers conferred on, and to perform the functions assigned to, it under this Act.

Constitution of State Information Commission.

(2) The State Information Commission shall consist of—

- (a) the State Chief Information Commissioner, and
- (b) such number of State Information Commissioners, not exceeding ten, as may be deemed necessary.

(3) The State Chief Information Commissioner and the State Information Commissioners shall be appointed by the Governor on the recommendation of a committee consisting of—

- (i) the Chief Minister, who shall be the Chairperson of the committee;
- (ii) the Leader of Opposition in the Legislative Assembly; and
- (iii) a Cabinet Minister to be nominated by the Chief Minister

Explanation.—For the purposes of removal of doubts, it is hereby declared that where the Leader of Opposition in the Legislative Assembly has not been recognised as such, the Leader of the single largest group in opposition of the Government in the Legislative Assembly shall be deemed to be the Leader of Opposition.

(4) The general superintendence, direction and management of the affairs of the State Information Commission shall vest in the State Chief Information Commissioner who shall be assisted by the State Information Commissioners and may exercise all such powers and do all such acts and things which may be exercised or done by the State Information Commission autonomously without being subjected to directions by any other authority under this Act.

(5) The State Chief Information Commissioner and the State 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.

(6) The State Chief Information Commissioner or a State Information Commissioner shall not be a Member of Parliament or Member of the Legislature of any State or Union territory, as the case may be, or hold any other office of profit or connected with any political party or carrying on any business or pursuing any profession.

(7) The headquarters of the State Information Commission shall be at such place in the State as the State Government may, by notification in the Official Gazette, specify and the State Information Commission may, with the previous approval of the State Government, establish offices at other places in the State.

Term of office
and conditions
of service.

16. (1) The State 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:

Provided that no State Chief Information Commissioner shall hold office as such after he has attained the age of sixty-five years.

(2) Every State Information Commissioner shall hold office for a term of five years from the date on which he enters upon his office or till he attains the age of sixty-five years, whichever is earlier, and shall not be eligible for reappointment as such State Information Commissioner:

Provided that every State Information Commissioner shall, on vacating his office under this sub-section, be eligible for appointment as the State Chief Information Commissioner in the manner specified in sub-section (3) of section 15:

Provided further that where the State Information Commissioner is appointed as the State Chief Information Commissioner, his term of office shall not be more than five years in aggregate as the State Information Commissioner and the State Chief Information Commissioner.

(3) The State Chief Information Commissioner or a State Information Commissioner,

shall before he enters upon his office make and subscribe before the Governor or some other person appointed by him in that behalf, an oath or affirmation according to the form set out for the purpose in the First Schedule.

(4) The State Chief Information Commissioner or a State Information Commissioner may, at any time, by writing under his hand addressed to the Governor, resign from his office:

Provided that the State Chief Information Commissioner or a State Information Commissioner may be removed in the manner specified under section 17.

(5) The salaries and allowances payable to and other terms and conditions of service of—

- (a) the State Chief Information Commissioner shall be the same as that of an Election Commissioner;
- (b) the State Information Commissioner shall be the same as that of the Chief Secretary to the State Government:

Provided that if the State Chief Information Commissioner or a State Information Commissioner, at the time of his appointment is, in receipt of a pension, other than a disability or wound pension, in respect of any previous service under the Government of India or under the Government of a State, his salary in respect of the service as the State Chief Information Commissioner or a State Information Commissioner shall be reduced by the amount of that pension including any portion of pension which was commuted and pension equivalent of other forms of retirement benefits excluding pension equivalent of retirement gratuity:

Provided further that where the State Chief Information Commissioner or a State Information Commissioner is, at the time of his appointment is, in receipt of retirement benefits in respect of any previous service rendered in a Corporation established by or under any Central Act or State Act or a Government company owned or controlled by the Central Government or the State Government, his salary in respect of the service as the State Chief Information Commissioner or the State Information Commissioner shall be reduced by the amount of pension equivalent to the retirement benefits:

Provided also that the salaries, allowances and other conditions of service of the State Chief Information Commissioner and the State Information Commissioners shall not be varied to their disadvantage after their appointment.

(6) The State Government shall provide the State Chief Information Commissioner and the State Information Commissioners with such officers and employees as may be necessary for the efficient performance of their functions under this Act, and the salaries and allowances payable to and the terms and conditions of service of the officers and other employees appointed for the purpose of this Act shall be such as may be prescribed.

17. (1) Subject to the provisions of sub-section (3), the State Chief Information Commissioner or a State Information Commissioner shall be removed from his office only by order of the Governor on the ground of proved misbehaviour or incapacity after the Supreme Court, on a reference made to it by the Governor, has on inquiry, reported that the State Chief Information Commissioner or a State Information Commissioner, as the case may be, ought on such ground be removed.

Removal of State
Chief Information
Commissioner or
State Information
Commissioner

(2) The Governor may suspend from office, and if deem necessary prohibit also from attending the office during inquiry, the State Chief Information Commissioner or a State Information Commissioner in respect of whom a reference has been made to the Supreme Court under sub-section (1) until the Governor has passed orders on receipt of the report of

the Supreme Court on such reference.

(3) Notwithstanding anything contained in sub-section (1), the Governor may by order remove from office the State Chief Information Commissioner or a State Information Commissioner if a State Chief Information Commissioner or a State Information Commissioner, as the case may be,—

- (a) is adjudged an insolvent; or
- (b) has been convicted of an offence which, in the opinion of the Governor, involves moral turpitude; or
- (c) engages during his term of office in any paid employment outside the duties of his office; or
- (d) is, in the opinion of the Governor, unfit to continue in office by reason of infirmity of mind or body; or
- (e) has acquired such financial or other interest as is likely to affect prejudicially his functions as the State Chief Information Commissioner or a State Information Commissioner.

(4) If the State Chief Information Commissioner or a State Information Commissioner in any way, concerned or interested in any contract or agreement made by or on behalf of the Government of the State or participates in any way in the profit thereof or in any benefit or emoluments arising therefrom otherwise than as a member and in common with the other members of an incorporated company, he shall, for the purposes of sub-section (1), be deemed to be guilty of misbehaviour.

Powers and
functions of
Information
Commissions.

CHAPTER V

Powers and functions of the Information Commissions, appeal and penalties

18. (1) Subject to the provisions of this Act, it shall be the duty of the Central Information Commission or State Information Commission, as the case may be, to receive and inquire into a complaint from any person,—

- (a) who has been unable to submit a request to a Central Public Information Officer or State Public Information Officer, as the case may be, either by reason that no such officer has been appointed under this Act, or because the Central Assistant Public Information Officer or State Assistant Public Information Officer, as the case may be, has refused to accept his or her application for information or appeal under this Act for forwarding the same to the Central Public Information Officer or State Public Information Officer or senior officer specified in sub-section (1) of section 19 or the Central Information Commission or the State Information Commission, as the case may be;
- (b) who has been refused access to any information requested under this Act;
- (c) who has not been given a response to a request for information or access to information within the time limit specified under this Act;
- (d) who has been required to pay an amount of fee which he or she considers unreasonable;
- (e) who believes that he or she has been given incomplete, misleading or false information under this Act; and
- (f) in respect of any other matter relating to requesting or obtaining access to records under this Act.

(2) Where the Central Information Commission or State Information Commission, as the case may be, is satisfied that there are reasonable grounds to inquire into the matter, it may initiate an inquiry in respect thereof.



भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 1

PART II—Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं० 43] नई दिल्ली, बृहस्पतिवार, अगस्त 1, 2019/ श्रावण 10, 1941 (शक)
No. 43] NEW DELHI, THURSDAY, AUGUST 1, 2019/SHRAVANA 10, 1941 (SAKA)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE (Legislative Department)

New Delhi, the 1st August, 2019/Shravana 10, 1941 (Saka)

The following Act of Parliament received the assent of the President on the 1st August, 2019, and is hereby published for general information:—

THE RIGHT TO INFORMATION (AMENDMENT) ACT, 2019

No. 24 OF 2019

[1st August, 2019.]

An Act to amend the Right to Information Act, 2005.

BE it enacted by Parliament in the Seventieth Year of the Republic of India as follows:—

1. (1) This Act may be called the Right to Information (Amendment) Act, 2019.

Short title and commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

22 of 2005.

2. In the Right to Information Act, 2005 (hereinafter referred to as the principal Act), in section 13,—

Amendment of section 13.

(a) in sub-section (1), for the words "for a term of five years from the date on which he enters upon his office", the words "for such term as may be prescribed by the Central Government" shall be substituted;

(b) in sub-section (2), for the words "for a term of five years from the date on which he enters upon his office", the words "for such term as may be prescribed by the Central Government" shall be substituted;

(c) for sub-section (5), the following sub-section shall be substituted, namely:—

"(5) The salaries and allowances payable to and other terms and conditions of service of the Chief Information Commissioner and the Information Commissioners shall be such as may be prescribed by the Central Government:

Provided that the salaries, allowances and other conditions of service of the Chief Information Commissioner or the Information Commissioners shall not be varied to their disadvantage after their appointment:

Provided further that the Chief Information Commissioner and the Information Commissioners appointed before the commencement of the Right to Information (Amendment) Act, 2019 shall continue to be governed by the provisions of this Act and the rules made thereunder as if the Right to Information (Amendment) Act, 2019 had not come into force."

Amendment
of section 16.

3. In section 16 of the principal Act,—

(a) in sub-section (1), for the words "for a term of five years from the date on which he enters upon his office", the words "for such term as may be prescribed by the Central Government" shall be substituted;

(b) in sub-section (2), for the words "for a term of five years from the date on which he enters upon his office", the words "for such term as may be prescribed by the Central Government" shall be substituted;

(c) for sub-section (5), the following sub-section shall be substituted, namely:—

"(5) The salaries and allowances payable to 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 the Central Government:

Provided that the salaries, allowances and other conditions of service of the State Chief Information Commissioner and the State Information Commissioners shall not be varied to their disadvantage after their appointment:

Provided further that the State Chief Information Commissioner and the State Information Commissioners appointed before the commencement of the Right to Information (Amendment) Act, 2019 shall continue to be governed by the provisions of this Act and the rules made thereunder as if the Right to Information (Amendment) Act, 2019 had not come into force."

Amendment
of section 27.

4. In section 27 of the principal Act, in sub-section (2), after clause (c), the following clauses shall be inserted, namely:—

"(ca) the term of office of the Chief Information Commissioner and Information Commissioners under sub-sections (1) and (2) of section 13 and the State Chief Information Commissioner and State Information Commissioners under sub-sections (1) and (2) of section 16;

(cb) the salaries, allowances and other terms and conditions of service of the Chief Information Commissioner and the Information Commissioners under sub-section (5) of section 13 and the State Chief Information Commissioner and the State Information Commissioners under sub-section (5) of section 16;"

DR. G. NARAYANA RAJU,
Secretary to the Govt. of India.

9. Medical Facilities.—The Chief Information Commissioner and Information Commissioners, as the case may be, shall be entitled to medical treatment and Hospital facilities as provided in the Central Government Health Scheme and at places where the Central Government Health Scheme is not in operation, the Chief Information Commissioner and Information Commissioner shall be entitled to medical facilities as provided in the Central Service (Medical Attendance) Rules, 1944.

10. Accommodation.—(1) The Chief Information Commissioner or Information Commissioners, as the case may be, shall be eligible subject to availability, to the use of official residence from the general pool accommodation of the type as admissible to an officer holding a post carrying the same pay in the Central Government on the payment of the license fee at the rates prescribed by Central Government from time to time.

(2) Where Chief Information Commissioner or an Information Commissioner is not provided with or does not avail himself of the general pool accommodation referred to in sub-rule (1), he may be paid House Rent Allowance at the rate admissible to an officer holding a post carrying the same pay in the Central Government.

11. Leave Travel Concession, Travelling Allowance, Daily Allowance.—The Chief Information Commissioner or Information Commissioners, as the case may be, shall be entitled to leave travel concession, travelling allowance and daily allowance as admissible to an officer holding a post carrying the same pay in the Central Government as far as may be, apply to the Chief Information Commissioner and Information Commissioner, as the case may be.

CHAPTER IV

TERM OF OFFICE, SALARIES, ALLOWANCES AND OTHER TERMS AND CONDITIONS OF SERVICE OF THE STATE CHIEF INFORMATION COMMISSIONER AND STATE INFORMATION COMMISSIONERS IN THE STATE INFORMATION COMMISSION

12. Term of office.—The State Chief Information Commissioner, or State Information Commissioners, as the case may be, shall hold office for a period of three years from the date on which he enters upon his office.

13. Retirement from parent service on appointment.—The State Chief Information Commissioner or State Information Commissioners, as the case may be, who on the date of his appointment to the Commission, was in the service of the Central or a State Government, shall be deemed to have retired from such service with effect from the date of his appointment as State Chief Information Commissioner and State Information Commissioner in the State Information Commission.

14. Pay.—(1) The State Chief Information Commissioner shall receive a pay of Rs. 2,25,000 (Rupees two lakh and twenty five thousand) (fixed) per mensem.

(2) The State Information Commissioners shall receive a pay of Rs. 2,25,000 (Rupees two lakh and twenty five thousand) (fixed) per mensem.

(3) In case the State Chief Information Commissioner and State Information Commissioners, as the case may be, at the time of his appointment is, in receipt of any pension, the pay of such State Chief Information Commissioner or State Information Commissioners, as the case may be, shall be reduced by the amount of that pension including any portion of pension which was commuted and pension equivalent of other forms of retirement benefits excluding pension equivalent of retirement gratuity.

(4) In case the State Chief Information Commissioner and State Information Commissioners, as the case may be, at the time of his appointment, is in receipt of retirement benefits in respect of any previous service rendered in Corporation established by or under any Central Act or State Act or a Government company owned or controlled by the Central Government or the State Government, his salary in respect of the service as the State Chief Information Commissioner and State Information Commissioners shall be reduced by the amount of pension equivalent to the retirement benefits.

15. Dearness Allowance.—The State Chief Information Commissioner and State Information Commissioners, as the case may be, shall be entitled to draw dearness allowance at the rate admissible to an officer holding a post carrying the same pay in the State Government, as revised from time to time.

16. Leave.—(1) The State Chief Information Commissioner or State Information Commissioners, as the case may be, shall be entitled to rights of leave as per admissibility to an officer holding a post carrying the same pay in the State Government, as revised from time to time.

(2) In case of the State Chief Information Commissioner, the competent authority to sanction the leave shall be the Governor of the State and in case of the State Information Commissioners, the State Chief Information Commissioner shall be the competent authority.

17. Cash Payment in lieu of unutilized Earned Leave.—The State Chief Information Commissioner or State Information Commissioners, as the case may be, shall be entitled to encashment of fifty per cent. of earned leave to his credit at the time of completion of tenure:

Provided that a State Chief Information Commissioner or State Information Commissioners, as the case may be, who had retired from the service of the Central or a State Government prior to appointment as a State Chief Information Commissioner or State Information Commissioners respectively, the aggregate period for which the encashment of unutilised earned leave shall be entitled shall be subject to a maximum period as per admissibility to an officer holding a post carrying the same pay in the Central Government or the State Government, as the case may be, as revised from time to time.

18. Medical Facilities.—The State Chief Information Commissioner or State Information Commissioners, as the case may be, shall be entitled to medical treatment and Hospital facilities as provided in the Central Government Health Scheme and at places where the Central Government Health Scheme is not in operation, the State Chief Information Commissioner and State Information Commissioners, as the case may be, shall be entitled to medical facilities as provided in the Central Service (Medical Attendance) Rules, 1944 or such medical facilities provided by the State Government to an officer holding a post carrying the same pay in the State Government, as revised from time to time.

19. Accommodation.—(1) The State Chief Information Commissioner or State Information Commissioners, as the case may be, shall be eligible subject to availability, to the use of official residence from the general pool accommodation of the type as admissible to an officer holding a post carrying the same pay in the State Government on the payment of the license fee at the rates prescribed by State Government from time to time.

(2) Where State Chief Information Commissioner or State Information Commissioners, as the case may be, is not provided with or does not avail himself of the general pool accommodation referred to in sub-rule (1), he may be paid House Rent Allowance at the rate admissible to an officer holding a post carrying the same pay in the State Government.

20. Leave Travel Concession, Travelling Allowance, Daily Allowance.—The State Chief Information Commissioner or State Information Commissioners, as the case may be, shall be entitled to leave travel concession, travelling allowance and daily allowance as admissible to an officer holding a post carrying the same pay in the State Government as far as may be, apply to the State Chief Information Commissioner or State Information Commissioners.

CHAPTER V

21. Residuary Provision.—The conditions of service of the Chief Information Commissioner or an Information Commissioner, State Chief Information Commissioner or State Information Commissioners for which no express provision has been made in these rules shall be referred in each case to the Central Government for its decisions and the decisions of the Central Government thereon shall be binding on the Chief Information Commissioner or an Information Commissioner of the Central Information Commission, State Chief Information Commissioner or State Information Commissioner of the State Information Commission.

22. Power to relax.—The Central Government shall have power to relax the provisions of any of these rules in respect of any class or category of persons.

23. Interpretation.—If any question arises relating to the interpretation of any of the provisions of these rules, it shall be referred to the Central Government for decision.

[F. No. 1/5/2019-IR]

LOK RANJAN, Addl. Secy.