

The State Information Commission

State Information Commission – Members, Appointment

1. The Right to Information Act of 2005 provides for the creation of not only the Central Information Commission but also a State Information Commission at the state level.
2. Accordingly, all the states have constituted the State Information Commissions through Official Gazette Notifications.
3. The State Information Commission is a high-powered independent body that inter-alia looks into the complaints made to it and decides the appeals.
4. It entertains complaints and appeals pertaining to offices, financial institutions, public sector undertakings, etc., under the concerned state government.
5. The Commission consists of a State Chief Information Commissioner and not more than ten State Information Commissioners.
6. They are appointed by the Governor on the recommendation of a committee consisting of the Chief Minister as Chairperson, the Leader of Opposition in the Legislative Assembly and a State Cabinet Minister nominated by the Chief Minister.
7. They should 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. They should not be a Member of Parliament or Member of the Legislature of any State or Union Territory. They should not hold any other office of profit or connected with any political party or carrying on any business.

Term of Office of SIC

1. They hold office till the age of 65 or 5 years. The information commissioner is eligible for the post of state chief information commissioner but can be in office for a maximum of 5 years including his tenure of information commissioner.

Aspirants can go through the following links that are relevant for their preparation of UPSC exams-

Central Information Commission	Right to Information – Objectives, Provision	Joint State Public Service Commission
Finance Commission of India	Reorganization of States	Punchhi Commission Report
Different Commissions and their Recommendations	List of Committees and Commissions in India	Composition, Functions & Highlights of Inter-State Council

Removal of State Chief Information Commissioner from Office

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.
2. The Governor may suspend from office, and if deemed necessary prohibit also from attending the office during the 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 the SIC:
 - is adjudged an insolvent; or
 - engages during his term of office in any paid employment outside the duties of his office; or
 - has been convicted of an offence which, in the opinion of the Governor, involves moral turpitude; or
 - is, in the opinion of the Governor, unfit to continue in office by reason of infirmity of mind or body; or
 - 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.
 - 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 misbehavior.

State Information Commission – Quasi-Judicial Powers and Functions

The quasi-judicial powers and functions of the State Information Commission are:

1. The Commission must receive and inquire into a complaint from any person
2. The Commission can order an inquiry into any matter if there are reasonable grounds (suo-moto power).
3. While inquiring, the Commission has the powers of a civil court in respect of civil matters
4. During the inquiry of a complaint, the Commission may examine any record which is under the control of the public authority and no such record may be withheld from it on any grounds. In other words, all public records must be given to the Commission during inquiry for examination.
5. The Commission has the power to secure compliance with its decisions from the public authority.
6. The Commission submits an annual report to the State Government on the implementation of the provisions of this Act. The State Government places this report before the State Legislature.

The above details would help candidates prepare for [UPSC 2021](#).

