

(To be substituted bearing same number and date)

HARYANA GOVERNMENT
DEPARTMENT OF ADMINISTRATIVE REFORMS

NOTIFICATION

The 23rd July, 2013

No.: 5/7/2012-1AR, dated 11-05-2012-The Governor of Haryana is pleased to direct that a Search Committee shall henceforth assist the Statutory Committee under the Right to Information Act (the Act) while firming up its recommendations for appointment of Chief/Information Commissioner(s) (C/ICs) pertaining to the State Information Commission of Haryana. The Governor of Haryana is further pleased to direct that the said Search Committee shall function subject to the following:

- i The Search Committee shall consists of a Chairman and as many other members as are appointed as such by the Government. The Chairman and, as the case may be, the Member(s) shall enjoy the privilege of being as such till the pleasure of the Government.
- ii The Search Committee of the day shall devise its own principles while arriving at the procedure and criterion adopted by it while making suitable recommendations and furnishing requisite details/materials supporting the suitability of the recommended candidates to be placed before the Committee competent to make recommendations in terms of the Act for its consideration. There would be no requirement to adopt a fixed set of said principles, procedure and criterion to be adopted and the Search Committee in its own wisdom may fix and/or vary the said principles, procedure and criterion at any time. However, the guidelines suggested/directions given by the Honb'le High Court of Punjab & Haryana (CWP No. 14107 of 2011 H.C. Arora Vs. State of Punjab and others) must always be scrupulously adhered to by it while doing so.
- iii The Search Committee shall recommend three times as many names as the vacancies notified to it to be considered for being filled up. In the case of any deviation on this count, the Search Committee shall unanimously certify to the Committee competent to make recommendations in terms of the Act and the Government that despite their most earnest efforts they are unable to identify and

endorse any more suitable persons. However, the vacancies notified to the Search Committee may be withdrawn, reduced, altered or increased at any point in time prior to the actual appointment of C/ICs by the Government at its pure discretion. In the event it is increased after the submission of the report/recommendation of the Search Committee, the Search Committee shall conduct a search or rely upon its search out of which the recommendees were selected to fulfill the gap in the number of recommendations consistent with this clause. But in case the number of vacancy is reduced, there would be no need to seek the recommendation of the Search Committee afresh and the Committee competent to make recommendations in terms of the Act shall consider all the persons recommended by the Search Committee at first place.

- iv The Committee competent to make recommendations in terms of the Act shall be at liberty to select as many persons as it deem suitable for being recommended to be appointed as Chief/Information Commissioners out of the recommendations so received from the Search Committee and shall not be bound to make all the requisite recommendations out of the recommendations so received from the Search Committee. The Committee competent to make recommendations in terms of the Act may, if it deems so to do as fit, shall be at liberty to adopt no or less than the requisite number of vacancy as notified to the Search Committee as fit to be recommended by it for being appointed as Chief/Information Commissioner(s) out of the recommendations received from the Search Committee. In all such cases, the Search Committee prevailing at the relevant point in time shall conduct a fresh search for filling up the remaining vacancies.
- v The Committee competent to make recommendations in terms of the Act or, as the case may be, the Government, may, if it deems it to be fit, require the Search Committee to revisit the principles, procedure and criterion adopted by it and may require the Search Committee to delete, include or vary them as suggested by it and to adhere to such suggestion shall be binding on the Search Committee.
- vi The Committee competent to make recommendations in terms of the Act or, as the case may be, the Government, shall retain the prerogative to forward names of persons to be considered by the Search Committee as candidates in the process of

making its recommendations and the Search Committee shall consider all such names on their own merit positively.

- vii The government shall have the competence to change or vary any/all the conditions constituting these procedures at its discretion and at any time.
- viii The Government shall finalise a penal of names, after considering the names submitted by the search committee, for consideration of the Statutory Committee. The names, alongwith bio-data and other relevant information, of the persons on the penal shall form part of the agenda forwarded to the members of the statutory committee, not less than 7 days, in advance of its meeting.
- ix The Office of Chief Secretary Haryana or any other office/officer appointed by the Chief Secretary shall provide Secretarial assistance to the Search Committee.

P.K. Chaudhery

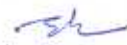
Chief Secretary to Government, Haryana,
Administrative Reforms Department.

No.: 5/7/2012-IAR

Dated Chandigarh the 23rd July, 2013.

A copy is forwarded to the following for information and necessary action:

1. Special Senior Secretary to Chief Minister, Haryana for kind information of Hon'ble Chief Minister.
2. Personal Assistant to Leader of Opposition for kind information of Hon'ble Leader of Opposition being member of committee constituted under section 15(3) of RTI Act, 2005.
3. Private Secretary to Education Minister, Haryana for kind information of Hon'ble Education Minister being member of committee constituted under section 15(3) of RTI Act, 2005.
4. Private Secretary to Chief Secretary Haryana for kind information of Worthy Chief Secretary.
5. Lt. Gen.(Retd.) Dr. D.D.S Sandhu, Vice Chancellor, Kurukshetra University, Kurukshetra.
6. Sh. Sarban Singh, IAS, Principal Secretary to Government Haryana, Public Health Engineering Department.


Under Secretary

for Chief Secretary to Government, Haryana,
Administrative Reforms Department.