

State of Information Commissions and the Use of RTI Laws in India

Rapid Study 3.0

Based on the Annual Reports of Information Commissions
(2012-2014)

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I

State of Information Commissions

established under

The Right to Information Act, 2005

&

The Jammu and Kashmir Right to Information Act, 2009

Rapid Study 3.0

State of Information Commissions in India

Rapid Study 3.0

Main Report

Introduction

On 20th June 2015, the *Right to Information Act* (RTI Act) completed a decade of existence¹. The text of this law was published in the Official Gazette 21st June, 2005 and several provisions such as the appointment of Public Information Officers, First Appellate Authorities and Information Commissions and the requirement of improving records management, preparing for the proactive disclosure of a deal of information [Section 4(1)(b)] and the exemption for 18 security and intelligence organisations became operational immediately. Other provisions detailing the procedures through which people can access information or file appeals and complaints against delays in and denials of access became operational a hundred and twenty days later in October.

In 2014 at the commencement of the tenth year of implementation of the RTI Act, we published a Rapid Study of the Status of Information Commissions and use of the RTI Act across the country using the facts and figures declared by the Information Commissions themselves².

This year, we present before you, our findings about the improvement (or lack of it) in the working of Information Commissions and use of the RTI law by people across the country since the publication of our previous reports. We have included the State Information Commission of Jammu and Kashmir (JKSIC) in this study even though it is established by a separate law passed by the J&K State Legislature³.

The first part of the current study is based on 13 parameters and the second part is based on three parameters of which the second is subdivided into six sub-parameters which we think are fundamental (though not exhaustive) to such an assessment exercise, following the pattern of our previous studies. In order to avoid repetition and tedium the 21 parameters (main and sub-parameters) are not being repeated here. They are available on the contents page for quick reference.

¹ The text of the Central RTI Act is accessible on the RTI portal of the Government of India: <http://righttoinformation.gov.in/rti-act.pdf>, accessed on 19 June, 2015.

² Maja Daruwala (ed.), Venkatesh Nayak (2014), *Information Commissions and the Use of RTI Laws in India*, CHRI, New Delhi, accessible at: <http://www.humanrightsinitiative.org/publications/rti/ICs-RapidCompStudy-finalreport-NDelhi-ATITeam-Jul14.pdf>, accessed on 19 June, 2015.

³ *Jammu and Kashmir Right to Information Act, 2009*, accessible on the website of the J&K General Administration Department at: <http://jkgad.nic.in/common/showOrder.aspx?actCode=N11095>, accessed on 19 June, 2015.

Our main findings from the study

I Current Composition of and Vacancies in the Information Commissions

Sections 12(2) and 15(2) of the Central RTI Act permit the establishment of Information Commissions comprising of one Chief Information Commissioner and a maximum of ten Information Commissioners at the Central and State level, respectively. The J&K RTI Act however permits the establishment of a three-member J&K State Information Commission (J&KSIC).⁴ A total of 50 posts were created in 27 Information Commissions established during the years 2005-06. We have given below our findings about the expansion of Information Commissions over the last ten years.

Main findings of the study: (See Table 1)

- **In 2014 - 2015 - a total of 142 posts of Information Commissioners** (including the Chief Information Commissioners) had been created across the country (including the JKSIC). **At the time of writing this report, a little more than 20% of these posts (Chief ICs and ICs) were lying vacant.** In July 2014, the vacancy figure was considerably lesser at 14.28% (of 140 posts). At the time of writing this report, the total number of Information Commissioners serving across the country is 111- down from 120 in 2014.
- As it was last year, the **maximum number of vacancies (4)** is in **Jharkhand. Gujarat and Tamil Nadu** with 3 vacancies each are close behind.
- **Uttar Pradesh and Punjab** have the **largest number of serving SICs (10 each)** followed by **Andhra Pradesh and Haryana (9 each)** and the **Central Information Commission and Maharashtra (8 each)**.
- **Despite the bifurcation of the erstwhile State of Andhra Pradesh into the successor States of Andhra Pradesh and Telangana, Telangana has not constituted its SIC yet. The SIC of Andhra Pradesh is hearing appeals and complaints submitted by residents of Telangana as well.**

II Background of Chief Information Commissioners

Sections 12(5) and 15(5) of the Central RTI Act contain a list of fields of experience and expertise from which candidates – men and women – may be chosen for filling up the posts of the Chief Information Commissioners and Information Commissioners at the Central and State level, respectively. Section 12(5) of the J&K RTI Act also contains a similar list for the guidance of the J&K State Government. The fields of expertise mentioned in both laws are- law, science and technology, social service, management, journalism, mass media and administration and governance. The main findings of the current study about the background of Chief Information Commissioners are given below in comparison with our findings in 2014:

⁴ Section 12(1), J&K RTI Act, 2009.

Main findings of the study: (See Tables 2 and 3)

- **Four State Information Commissions** namely, those of Goa, Odisha, Tamil Nadu and Uttarakhand were headless at the time of writing this report as the State Chief Information Commissioners had retired (SCICs).
- **The remaining 25 Information Commissions including the Central Information Commission are all being headed by retired civil servants. More than 3/4ths (76%) of the Chief Information Commissioners across the country are retired IAS officers.** This proportion has gone up from 69% in 2014 and 74% in 2012 (when we first reported on the state of Information Commissions across India). Two officers who retired from the Indian Foreign Service are heading the Information Commissions in Manipur and Mizoram. A retired IPS officer continues to be the SCIC of Kerala while the J&KSIC continues to be headed by a retired officer of the Indian Revenue Service. Two retired State Civil Services Officers are heading up the Information Commissions in Madhya Pradesh and Nagaland. The Chief Information Commissioner of the CIC has multiple specialisations – a postgraduate degree in law and a long career in public administration.
- **Only one Information Commission** namely, that of Nagaland is headed by a woman SCIC. All other Information Commissions are currently headed by men.
- **The State Information Commissioner of Meghalaya officiating as the SCIC is scheduled to retire soon.** One IC in Uttarakhand is officiating as the SCIC. The SCIC's posts have not been filled up after the retirement of the previous incumbents in these States.

It appears that the Governments are increasingly preferring retired civil servants over candidates with other specialisations referred to in the twin RTI laws despite the Supreme Court advising the Governments to look beyond that pool in 2013⁵. **No retired High Court judges or persons with specialisation in journalism, mass media, science and technology or management are currently serving as Chief Information Commissioners anywhere across India.**

III Background of Central and State Information Commissioners

It must be pointed out that the two RTI laws in India do not specify any different set of qualifications for the Information Commissioners. They are the same as those for Chief Information Commissioners. Additionally, these laws prescribe criteria for disqualification of a candidate. Candidates who are members of any political party or those who are pursuing any business or profession may not be appointed to the Information Commissions.⁶ The main findings of the background of other members of the Information Commissioners are given below in comparison with our findings in 2014.

⁵ *Union of India vs Namit Sharma*, AIR 2014 SC122.

⁶ Sections 12(6) in the Central RTI Act and the J&K RTI Act respectively.

Main findings of the study: (See Tables 2 and 4)

- **Only 12.6% of the Information Commissioners (11 out of 87) serving across the country are women.** In 2014 there were 12 women ICs across the country. There are two women ICs in Andhra Pradesh. While the number of women ICs in Haryana has gone up from 1 to 2, there are no women ICs in Punjab and Tripura unlike in 2014. **The appointment of the woman IC in Gujarat was quashed by the High Court for not having any of the specialisations specified in Section 15(5) of the Central RTI Act (see Table 2).**
- **A little more than a third of the women ICs (4 of 11) are retired civil servants. A similar proportion of women ICs are from social service background. Two women ICs from Andhra Pradesh and Tamil Nadu have a specialisation in law. The Woman IC from Andhra Pradesh is also an academic specialising in public administration.**
- **42.5% (35 of 87) of the Information Commissioners across the country are retired civil servants belonging to either the All India Services or the State Civil Services.** In 2014 this proportion was almost 50% and much higher at 53% in 2012. The proportion of retired bureaucrats appointed as ICs is slowly declining. **Uttar Pradesh has the unique distinction of not having any retired career civil servant serving on the State Information Commission (the SCIC is a retired IAS officer though).**
- **Almost 23% (20 of 87) ICs across the country are either retired judges or practised as advocates or have taught law as a subject at an academic institution.** In 2014 this proportion was 21%.
- **A little more than 17% of the Information Commissioners across the country have a specialisation in journalism or the mass media.** Most ICs with these specialisations are serving in Uttar Pradesh (7).
- **The number of ICs with a specialisation in social service or social work has more than doubled in 2015 (from 3 to 7) as compared with the figures reported in 2014.** This is a steady increase since 2012 when only 1 IC was from social service background.
- **One doctor and engineer are serving in the SICs of Karnataka and Punjab respectively. However, two ICs in Maharashtra and Jammu and Kashmir are engineers who were also career bureaucrats.**
- **One Central Information Commissioner served as Special Director, Intelligence Bureau during his career as an IPS Officer.**
- **One IC in Punjab is a retired Army Major General.**

- **Two Information Commissioners one each in Nagaland and Punjab are reported to be former members of political parties (Indian National Congress and Shiromani Akali Dal respectively).** This figure has reduced from 3 in 2014.
- **One Information Commissioner in Arunachal Pradesh is identified only as a former President of the Arunachal Weightlifting Federation.** Given the much lighter load of second appeals and complaints filed before the SIC in Arunachal Pradesh as compared to other States, the choice of a weightlifter, disregarding the fields of knowledge and experience listed under Section 15(5) of the RTI Act is difficult to understand.
- **The State Information Commissions of Rajasthan and West Bengal are filled with only retired IAS officers. Only retired career bureaucrats are serving on the State Information Commissions of Chhattisgarh and Gujarat.**
- **Some ICs have multiple specialisations having postgraduate law degrees as well as a long career in public administration.**

IV Background of Information Commissioners appointed after September 2013

In September 2012, in the matter of *Namit Sharma vs Union of India*⁷, the Hon’ble Supreme Court of India while disposing a Public Interest Litigation (PIL) suit, directed the Governments to ensure that retired judges of the Supreme Court and retired Chief Justices of the High Courts be appointed as Chief Information Commissioners. The Central Government and the State Government of Rajasthan sought a review of this judgement. CHRI and two other parties intervened in the matter resulting in the Hon’ble Supreme Court recalling in September 2013, its earlier judgement.⁸ The Court issued fresh directions one of which requires Governments to make the effort to identify candidates other than retired civil servants for appointment to the Information Commissions.⁹ The Court also directed that only such candidates be appointed who have expertise and experiences in the fields mentioned in Sections 12(5) and 15(5) of the RTI Act.¹⁰ Our findings about the background of individuals appointed as Information Commissioners since September 2013.

⁷ (2013) 1SCC 745.

⁸ AIR 2014 SC122.

⁹ Ibid. See para #32: “... (iv) We further direct that persons of eminence in public life with wide knowledge and experience in all the fields mentioned in Sections 12(5) and 15(5) of the Act, namely, law, science and technology, social service, management, journalism, mass media or administration and governance, be considered by the Committees under Sections 12(3) and 15(3) of the Act for appointment as Chief Information Commissioner or Information Commissioners.”

¹⁰ Ibid., “32. ... (iii) We direct that only persons of eminence in public life with wide knowledge and experience in the fields mentioned in Sections 12(5) and 15(5) of the Act be considered for appointment as Information Commissioner and Chief Information Commissioner.” [emphasis supplied]

Main findings of the study: (See Table 5)

- **Close to 60% (35 Of 59) of the Chief Information Commissioners and Information Commissioners appointed after the Supreme Court reviewed its judgment in *Namit Sharma* are retired civil servants mostly drawn from the All India Services and a few from the State Civil Services.** This proportion was less than half (46%) in 2014. This indicates that the Central and State Governments are not adhering to the directions of the Supreme Court to widen their pool to include candidates with other specialisations.
- **11 of the Information Commissioners appointed since September 2013 have a specialisation in journalism or mass media.** This number has gone up from 10 in 2014. Most of these ICs have been appointed in Uttar Pradesh.
- **The Gujarat High Court struck down the appointment of two ICs in February 2015 holding them to be in violation of Section 15(4) of the Central RTI Act as interpreted by the Supreme Court in the *Namit Sharma review*.**¹¹
- Interestingly, the Department of Information & Public Relations, **Jharkhand** put out a press release dated stating that the **newly appointed IC would be administered the “oath of office and secrecy” by the SCIC** on 8th May 2015.¹² Perhaps the Department was not aware that the Oath of Office prescribed in Schedule 1 of the Central RTI Act does not contain any oath of secrecy. In any case it would be an oxymoron for an IC to swear an oath of secrecy.

V Availability of the Assets and Liabilities Declarations of Information Commissioners on their Websites

Nothing in the RTI laws requires members of the ICs to publicly declare their assets and liabilities. However they are often called upon by requestors to adjudicate upon information access disputes where public authorities have refused citizens’ requests for disclosing such information about public servants. While some have ordered the disclosure of such information in the past, the Hon’ble Supreme Court’s ruling in the matter of *Girish Ramchandra Deshpande vs Cen. Information Commr. and Ors.*¹³ has dampened all efforts to make such information

¹¹ *Jagte Raho vs The Chief Minister of Gujarat and Ors.*, Writ Petition (PIL) No. 143 of 2014, judgement dated 12/02/2015.

¹² See the Hindi press release in the MS Word file at: http://prdi.harkhand.in/press_release_details.php?prid=7043, accessed on 19 June, 2015.

¹³ (2013) 1SCC 212. It is respectfully submitted that the Apex Court did not examine the entire gamut of the law and practice while giving this ruling. Returns of assets and liabilities furnished by public servants become public documents upon submission to the concerned authorities. In the matter of *R. Rajagopal alias R. R. Gopal and Anr. vs State of Tamil Nadu and Ors.*, (1994) 6SCC 632, the Supreme Court had ruled that information contained in public documents would not attract the protection of privacy. The Court also ruled that the protection of privacy available to public servants on the very nature of their duties is of a lesser degree than that available to private citizens. However, thanks to the *Lokpal and Lokayuktas Act, 2013*, all public servants under the Central Government will have to publicly declare their assets and liabilities every year. Section 45 of this law will make

public. In that case the Apex Court ruled that information about the immovable properties owned by public servants is personal information and disclosure unless supported by public interest arguments furnished by the requestor would invade the privacy of the official.

However, Sections 14(3)(c), (4) and 17(3)(c) and (4) of the Central RTI Act and Section 11(3)(c) and (4) of the J&K RTI Act make 'engagement in paid employment outside of office' a ground for removal of Information Commissioners, without making a reference to the Supreme Court to inquire into the matter. Therefore, in order to uphold personal integrity and the institutional integrity of the Information Commissions, some Information Commissioners have begun the practice of publicly declaring their assets and liabilities. We have included this new parameter in this study.

Main findings of the study: (See Table 6)

- **The SCIC of Tripura and one IC in Haryana have disclosed assets for 2014-15. The assets of the SCIC of Karnataka and one IC each at the Central Information Commission and Uttarakhand SIC have disclosed their assets up to 2014. The remaining incumbent ICs at the CIC have not updated their assets declarations since 2013. One newly appointed IC at the CIC is yet to disclose his assets online.**
- **In Kerala the SCIC's assets declaration has not been updated since 2011. One IC there has disclosed assets for 2013. The remaining ICs have not disclosed their assets details at all.**
- **The website of the Madhya Pradesh SIC displays the assets declaration of an SCIC who has retired since long. None of the serving members of that Commission including the SCIC have disclosed their assets publicly.**
- **The State Information Commission of Bihar is the only instance where the assets and liabilities statements of the staff are displayed on the website. These declarations have not been updated since 2013. However none of the Information Commissioners in Bihar have thought it fit to follow this example till date.**

such disclosures mandatory upon the enforcement of the law. States which enact Lokayukta laws under this statute will also have to make similar provision for disclosure of the assets and liabilities statements of their employees. Unfortunately the Central Government has introduced amendments aimed at diluting these disclosure provisions. For a critique of these amendment proposals please see: <http://timesofindia.indiatimes.com/city/mumbai/Lokpal-to-lose-some-teeth-if-law-tweak-happens-Experts/articleshow/46751119.cms>, accessed on 19 June, 2015.

VI Availability of Annual Reports of Information Commissions¹⁴

Under Section 25 of the Central RTI Act, all public authorities under the Central and State Governments are required to submit to their Ministries and Departments annual reports about the status of implementation of the law within their jurisdiction. The Ministries and Departments are required to compile these reports and submit them to the respective Information Commissions. The Information Commissions forward these status reports along with a report of the performance of their own obligations under the law which is then tabled in Parliament or the respective State Legislatures. Section 21 of the J&K RTI Act requires the J&K State Information Commission to submit a similar Annual Report to the State Legislature through the State Government. Several Information Commissions have set up online-systems for receiving implementation reports from public authorities every quarter directly. The Information Commissions also display their Annual Reports on their website after they are tabled before the concerned legislature. However compliance with these statutory requirements has been poor, year after year.

Main findings of the study: (See Table 7)

- **Only 20.7% of the Information Commissions have displayed their Annual Reports on their websites for the financial year 2013-14. These are Central Information Commission and the State Information Commissions of Gujarat, Karnataka, Maharashtra, Nagaland and Rajasthan.** Although some SICs such as those of Chhattisgarh, Meghalaya and Sikkim prepare reports for the calendar year, none of them has displayed the Annual Report for the calendar year 2014 despite the lapse of almost six months.
- **The SICs of Madhya Pradesh, Manipur, Tripura and Uttar Pradesh has never published their Annual Reports on their official websites till date.**
- **About 20% of the SICs have displayed their Annual Reports up to the financial year 2012-13. These are Chhattisgarh, Himachal Pradesh, Mizoram, Odisha and Jammu and Kashmir. Meghalaya SIC has displayed its Annual Report for the year calendar 2013.**
- **The CIC and the SIC of Karnataka upload their Annual Reports in both English and Hindi and Kannada respectively for the benefit of readers. No other SIC has provided this kind of convenience to citizens. Maharashtra SIC's Annual Report is available only in Marathi.**
- **Punjab SIC uploaded its Annual Report for the year 2010-11 in April 2015. Tamil Nadu SIC which had not uploaded any Annual Report in 2014 has now displayed Annual Reports up to 2008.**

¹⁴ Where an annual report is not available on the dedicated website of the Information Commission, no assumption is made about their availability in printed form. They may or may not be available in hard copy at the office of the concerned Information Commission. This study only examines the periodicity of reports and their availability on the dedicated websites of the ICs from the years 2006-2015.

- **The Haryana SIC has not published any Annual Report on its website since 2006 while its counterpart in Goa has not done so since 2009.** In a communication dated 25th May, 2015, followed up by a telephonic conversation with the CHRI Team the Haryana SIC informed us that their 2nd Annual Report for the period November 2006 – October 2007 was printed as recently as in February 2015. The 3rd and 4th Annual Reports for the period November 2007 – December 2008 and 2009 (calendar year) respectively are said to have been printed in March 2015 and stand submitted to the Haryana Government. Apparently they have not yet been laid before the State Legislature. The 5th and 6th Annual Reports for the calendar years 2010 and 2011 are said to be under print. Although the SIC treats these Annual Reports as ‘published’ their non-availability in the public domain, especially on its official website is a verifiable fact.
- **Similar delays in publishing Annual Reports seem to be occurring in the Kerala SIC.** In a communication dated 6th April, 2015 the Kerala SIC informed us that the Annual Report for 2011-12 has been presented to the State Government. It is not clear whether the report has been laid before the State Legislature. The Kerala SIC also informed us that the Annual Report for 2012-13 is being finalised.
- **Sikkim SIC has uploaded the Annual Report for 2013 only and not for the previous years.**

VII Availability of Disposal and Pendency Statistics of Information Commissions

Nothing in the RTI Act or the Rules notified by the Central or State Governments require the Information Commissions to display statistics about the receipt, disposal and pendency of appeals and complaints in their jurisdiction. Several Information Commissions have adopted this practice in response to the vocal demand of some serving and ex-Information Commissioners, RTI users and activists over the years. However, our experience shows that this information is difficult to find in many Information Commissions which have not yet adopted this practice.

Main findings of the study: (See Table 8)

- **Only 27.5% (8 out of 29) of the Information Commissions have displayed their case disposal statistics up to 2014-15 on their websites.** In comparison, in 2014, 45% of the Information Commissions (13 of 29) had displayed their case disposal data. **The SICs that have stopped the practice of updating case disposal data on their websites are those of Andhra Pradesh, Haryana, Karnataka, Rajasthan and West Bengal.** This declining trend of posting real time information about the work of ICs is disturbing to say the least. Disclosing such information is the first step towards accountability of the ICs towards Parliament, the State Legislatures and most importantly, the people.

- **The CIC appears to be updating its pendency data on a daily basis while Uttarakhand SIC appears to be doing it on a weekly basis.** The SICs of Gujarat, Maharashtra and Punjab are also noteworthy examples of updating pendency statistics without much delay.
- **The case disposal and pendency data is known for 62% of the Information Commissions (18 of 29) either through their websites or through direct communication from their staff.**
- **The total pendency of 2nd appeals and complaints across these 17 ICs is 183,383 cases.**
- **The Information Commissions displaying their case pendency data on websites are listed below (in the order of the size of pendency):**
 - a) **Central Information Commission – 32,776 second appeals and 7,568 complaints.**
 - b) **Maharashtra State Information Commission – 24,147 second appeals and 2,766 complaints were pending (as in May, 2015).**
 - c) **Kerala State Information Commission – 7,449 second appeals and 2,472 complaints (as in February 2015).**
 - d) **Gujarat State Information Commission – 6,158 second appeals and complaints (breakup not available).**
 - e) **Odisha State Information Commission – 3,530 second appeals and 291 complaints (as of 31st December 2014).**
 - f) **Punjab State Information Commission – 1,798 appeals and complaints (as in May 2015- breakups not given)**
 - g) **Uttarakhand State Information Commission – 1,107 second appeals and 202 complaints (as in June, 2015).**
 - h) **Jammu and Kashmir State Information Commission – 153 appeals and complaints pending as on 31st March 2015 (breakups not available).**

The following State Information Commissions provided pendency data on the phone or by email upon making a formal request (not an RTI application):

- a) **Uttar Pradesh State Information Commission – about 64,000 appeals and complaints pending (as of June 2015).**

- b) Karnataka State Information Commission – **13,263 second appeals and 2,108 complaints (as on 31st March 2015).**
- c) Andhra Pradesh State Information Commission – **6,245 second appeals and 4,335 complaints pending (as on 26th June, 2015).**
- d) Haryana State Information Commission – **1,347 second appeals and 87 complaints.**
- e) Goa State Information Commission – **706 second appeals and 630 complaints.**
- f) Himachal Pradesh State Information Commission – **224 second appeals and 11 complaints.**
- g) Meghalaya State Information Commission – **4 second appeals and 6 complaints.**
- h) Mizoram, Sikkim and Tripura Information Commissions – **no pendency at all.**

Other SICs either did not bother to reply on the phone or simply advised us to look up their websites for statistics and figures that was simply not available.

VIII Availability of Cause Lists on the Websites of Information Commissions

Nothing in the RTI laws or in the RTI Rules notified by the Central or State Governments, requires Information Commissions to display cause lists on their websites. However, several Information Commissions have adopted this good practice over the years. Cause lists contain basic information about when a hearing has been scheduled by an Information Commission in an appeal or complaint filed before it. Cause lists are prepared by the registry or the secretariat of the Commissions. If an appellant or respondent does not get a notice of the hearing in hard copy, he/she may ascertain the date of hearing by regularly checking the Information Commission's website. This will ensure that neither party may miss a hearing date merely due to non-receipt of notice.¹⁵

Main findings of the study: (See Table 9)

- **A little more than 58% (17 of 29) of the Information Commissions have displayed their cause list on their respective websites.** In 2014 this figure was under 60%. Since 2014, Arunachal Pradesh and Meghalaya have started displaying their cause lists proactively.

¹⁵ In response to our Rapid Study Report 2.0 of 2014, the Mizoram SIC wrote back to us on 17/07/2014 stating that it had not received any communication from either the State/Central Government or CHRI about the necessity of displaying cause lists on the website. Therefore it held that it cannot be accused of resistance to display cause lists. The SIC also stated that it would take appropriate action for displaying cause lists on its website. At the time of writing this report we could not spot any link to cause list of the SIC on its official website: <http://mic.mizoram.gov.in/>, accessed on 19 June, 2015.

- In Tamil Nadu the SIC displays the cause list almost a month in advance of the date of hearing. The SICs in Assam, Bihar, Goa, Madhya Pradesh, Manipur, Mizoram and Sikkim continue to resist the idea of displaying cause lists on their websites even after the Central RTI Act has been in existence for a decade.
- In some SICs the trend of cause list display is not uniform. For example, the cause lists of the SICs of Kerala and Maharashtra have not been updated since 2013 and 2014, respectively. In Maharashtra cause lists have been updated for only 4 out of six ICs.
- The SICs of Chhattisgarh and Tamil Nadu display cause lists in the local language. The website of the UP SIC requires fonts to be downloaded for reading the cause list. This was not the case in 2014 when the documents were legible.

IX Availability of the Status of Pending Appeals and Complaints on the Websites of Information Commissions

Nothing in the RTI Act or the Rules notified by the Central or State Governments requires Information Commissions to display the current status of pending appeals and complaints for the benefit of the appellant/complainant. However, some Information Commissions have adopted this practice in order to afford appellants/complainants a convenient way of getting some information about their cases. This is a new parameter we have included in our study this year.

Main findings of the study: (See Table 10)

- About 41% (12 of 29) of the Information Commissions display the current status of pending appeals and complaints cases. It is possible to search the status of one's case by keying in one's name and/or case number on the websites of the Information Commissions of Andhra Pradesh, Chhattisgarh, Gujarat, Himachal Pradesh, Jharkhand, Karnataka, Maharashtra, Odisha and Punjab. In 2014 the proportion of SICs disclosing case status was 48% (14 of 29). Assam and Bihar are uploading only the decisions in appeals and complaints cases.
- The case status facility on the website of the Chhattisgarh State Information Commission is available in the local language - Hindi.
- The most cumbersome of case status search facilities are those of the Bihar and Uttarakhand SICs where the list of cases is not arranged in reverse chronological order. So a party to a case has to search for the latest cases at the bottom of the pile.

X Availability of Decisions of Information Commissions on their Websites

Nothing in the Central RTI Act or the Rules made under it requires Information Commissions to disclose their decisions on second appeals [under Section 19(3)] and complaints [under Section

18] to persons other than the parties to the case. Many Information Commissions have voluntarily displayed decisions on their websites. In J&K the RTI Rules framed by the State Government in 2010 authorised the J&K State Information Commission to place its decisions on a website. However those Rules were replaced in 2012 with a minimalistic set of rules which do not contain such a requirement. Nevertheless the J&K State Information Commission continues to upload its decisions on its website making them accessible to strangers to those cases. Given this scenario, it must be said that the decision to upload the text of its decisions lies within the discretionary domain of the Information Commissions. While several hundred thousand decisions are available on the websites of various Information Commissions, in the absence of a mechanism for independent verification it is not possible to say whether every decision in every case has been faithfully uploaded.

Main findings of the study: (See Table 11)

- **62% of the ICs (18 of 29) have uploaded their decisions in appeal and complaint cases for all years.**¹⁶ In 2014 the proportion was 65% (19 of 29). **Kerala SIC has not uploaded any of its decisions or 2015.**
- **The decisions of the SICs in Jharkhand and Sikkim are not available on their respective websites for any year since 2006.**
- **The SICs of Madhya Pradesh, Manipur and Uttar Pradesh have not uploaded their decisions for several years including the most recent ones. The website of the SIC in Jharkhand displays a link to the “Decisions” of the ICs but appears to be broken or has not decisions uploaded on it.**
- **The website of the Central Information Commission (<http://cic.gov.in>) alone continues to be search enabled through Google™. Any person may type in a keyword under this link and access a list of all documents available on that website containing that keyword, including its decisions. **The ‘Search’ function on the website of the West Bengal State Information Commission remains inactive since we first reported it in 2012.****

XI Availability of Local Language Websites of the Information Commissions and Online Appeal and Complaints Filing Facility

In 2014 our Rapid Study 2.0 included an assessment of the availability of websites of Information Commissions. By then all 29 Information Commissions included in the study had launched dedicated websites. In the current study we have looked at accessibility issues from the point of language. Nothing in the RTI laws requires Information Commissions to launch websites in the local language of the respective States. However some Information Commissions have taken the step of turning their sites bilingual to facilitate ease of access to citizens.

¹⁶ We have not included 2005 in the tabulated data as several ICs had not begun hearing appeals and complaints or had simply not been set up.

Main findings of the study: (See Table 12)

- **About 3/4ths of the Information Commissions do not have a website in the local language. This status remains unchanged since 2014. Except for Maharashtra no other SIC has made the effort to launch a completely bilingual website for the convenience of the residents of the State in which it is functioning. The CIC and the State Information Commissions of Chhattisgarh, Gujarat, Tripura and Uttar Pradesh have local language versions of major segments of their websites.**
- **The website of the Madhya Pradesh State Information Commission is in Hindi but continues to display very little information of currency and relevance. The links to the local language websites of the State Information Commissions of Andhra Pradesh and Rajasthan do not open up on any browser since we reported their status in 2014.**
- **Only 20% (6 of 29) of the Information Commissions continue to provide online facilities for submitting appeals or complaints or both as they did in 2014. No other SIC has created such a facility during the last one year. The CIC and the State Information Commissions of Bihar, Gujarat, Tripura and Uttarakhand accept online filing of both, appeals and complaints. The online complaints filing facility on the Bihar SIC website can be accessed through the link- “Helpline”.**

XII Availability of photographs of Information Commissioners on websites

Nothing in the two RTI laws requires the Information Commissions to display the photographs of the serving members of these statutory bodies. In this year’s study we have included this new parameter, simply because the Supreme Court and several High Courts display the photographs of the sitting and the retired judges. This kind of proactive disclosure is a first step for ensuring civility in the interaction between those tasked with resolution of disputes and those who take such disputes to them for resolution. RTI users who become appellants and complainants have the right to know who their Information Commissioners are. A large number of Information Commissions also follow this practice.

Main findings of the study: (See Table 13)

- **The websites of 5 Information Commissions, namely, those of Madhya Pradesh, Manipur, Meghalaya and Punjab do not display photographs of the ICs.**
- **The website of Goa’s SIC displays the photograph of the SCIC who retired recently.**

XIII Availability of budget and expenditure details on the websites of Information Commissions

Section 4(1)(b)(xi) of both RTI laws require every public authority to proactively disclose their budgets, plans, proposed expenditure and reports of disbursements made. Information Commissions are also public authorities as defined in Section 2(h) of the twin RTI laws. They have a statutory duty to disclose details of their budget and expenditure every year on their

website and also in their Annual Reports. We have included this new parameter in this study to assess compliance levels at the Information Commissions.

Main findings of the study: (See Table 21)

- **Only the SIC of Himachal Pradesh has displayed its budget allocation for the current financial year, namely, 2015-16 on its website.** None of the other ICs have disclosed the latest budget allocation on their website. One of the reasons could be the late submission of the State Governments' budget to the concerned State Legislatures for approval. **However, the CIC has not updated its budgetary allocation for the current financial year even though Parliament approved the budget in May.**
- **31% of the SICs have not disclosed their budgetary details on their website. These are the SICs of Arunachal Pradesh, Goa, Jharkhand, Madhya Pradesh, Manipur, Nagaland, Tamil Nadu, Tripura and Uttar Pradesh.** Some of them have published their budgetary details in their Annual Reports for earlier years, nevertheless this is not the latest information. Some ICs do not provide the expenditure figures although the sanctioned amount is displayed on the website.
- **The Maharashtra SIC is the only body which provides separate budgetary allocation and expenditure figures for each of its Benches established in different parts of the State.** However even in Maharashtra, some of the ICs have not updated the budgetary information for more than 2-3 years.
- The CIC appears to be the most well-funded IC with an annual budget of **Rs. 27 crores¹⁷** for 2014-15. However this figure is on the higher side due to the allocation made for construction of a building to house the CIC's office.
- **More than 37% of the ICs could not spend the entire budgetary amount sanctioned to them in the latest financial year for which figures are available. These are the CIC and the SICs of Chhattisgarh, Haryana, Karnataka, Kerala, Meghalaya, Mizoram, Odisha, Rajasthan, West Bengal and Jammu and Kashmir.**
- **Between 2012-14 which is the period covered by this study the ICs across the country which have reported their budgetary figures were allocated Rs. 84.17 crores¹⁸. The total expenditure for this period comes to Rs. 44.62 crores¹⁹.**

¹⁷ USD 4.25 million (where USD 1 = INR 63.50).

¹⁸ USD 13.25 million.

¹⁹ USD 7.02 million.



Use of RTI laws in India

Rapid Study 3.0

XIV Availability of translations of the RTI laws in local languages

Section 26 of the Central RTI Act and Section 22 of the J&K RTI Act require the respective governments to prepare and disseminate user guides in the local language to educate citizens about their rights under these laws, with particular emphasis on members of the disadvantaged segments of society. The first step in this direction is to make the bare text of the RTI laws available in the local official languages of the State. While the Central Government prepared the Hindi version of the Central RTI Act simultaneously with the English language original, the text of that law is not easy to access in other languages. However, ten years of implementation of the Central RTI Act should be adequate time for the States to ensure that local language translations of the law are available.²⁰ This is why we have included this new parameter in the current study.

Main findings of the study: (See Table 14)

- Based on disclosures made on the websites of Information Commissions and the RTI Portal set up by the Government of India, it can be said that the **Central RTI Act has been translated into 11 regional languages recognised in the 8th Schedule of the Constitution and 13 dialects spoken in two States, namely Nagaland and Meghalaya.** The Hindi language version of the Central RTI Act was already available when Parliament enacted it. Since then it has undergone further editing thanks to the efforts of RTI activists.²¹
- **Neither translations of nor User Guides for the Central RTI Act are available in 45% of the languages included in the 8th Schedule of the Constitution namely, Bodo, Dogri, Kashmiri, Konkani, Maithili, Manipuri, Nepali, Sanskrit, Santhali and Sindhi.**
- **The Urdu language translation of the J&K RTI Act is not been accessible on the website of the J&K State Information Commission or the General Administration Department which is the nodal agency for implementing the State's RTI law.**
- **Nagaland stands foremost of all vis-à-vis the efforts to get the Central RTI Act translated into local dialects.** Along with the translations of the law into 12 dialects spoken by various communities living in the State, the SIC has displayed RTI User Guides in all those languages. Meghalaya SIC's website displays the Khasi translation of the Central RTI Act.

²⁰ We have not included the availability of the text of the Central RTI Act in Braille although the Central Government did make the English version available for the visually differently abled in Braille. In 2010 CHRI also prepared a Braille version of the Central RTI Act in collaboration with ABU/AICB Braille Press, Delhi. Interested readers may contact CHRI at its address for copies.

²¹ One such effort was made by RTI activist Commodore (ret'd.) Lokesh Batra. For more details see: <http://www.deccanherald.com/content/290578/hindi-version-rti-act-official.html>, accessed on 19 June, 2015.

XV Trends in the use of the RTI Laws across India

XV.I How many RTI applications were filed across India?

Although the Central RTI Act has completed ten years of existence, to the best of our knowledge, there is no report in the public domain about the total number of citizens who have used the RTI Act for seeking information across the country in any given year, nor is any data available about the total number of RTI applications received by public authorities all over the country. Annual reports of Information Commissions contain data about RTI applications received and disposed only with respect to public authorities under their jurisdiction. Neither the Department of Personnel and Training under the Central Government, nor any other government institution has made the effort to compile this information.

In October 2013, we compiled statistics about RTI applications filed as recorded in the latest Annual Reports of Information Commissions wherever such reports are available for the period 2011-2012. In the present report we have compiled statistics from the Annual Reports of 15 ICs for the period 2012-2014.²² In the present report we have opted for the following methodology:

- a) wherever SICs published RTI applications statistics after the period which was covered in our 2013 report, we have updated the figures for the concerned States labelling it as the reporting year immediately previous to the latest Annual Reports that we have analysed in the present report;
- b) wherever SIC reports for the period 2011-12 or the calendar year- 2012, were taken into account in our 2013 report, we have not taken them into account in our present report if a report for a subsequent year is available; and
- c) the most recent year for which Annual Reports are available have been taken into account for comparing the trends with the previous reporting period even though the time-segment selected covers two calendar years – 2012-14.

Main findings of the study: (See Table 15)

RTI application statistics

- **Data culled out from the Annual Reports of the CIC and 12 SICs indicates that a total of 24.77 lakh (2.47 million) applications were filed in those jurisdictions in a given year between 2012-14.** In 2013 the total number of RTI applications that we reported was 20.39 lakhs (2.03 million) based on data available up to the time of writing that report.

²² A point of caution must be noted. While many Information Commissions have adopted the financial year (April to March) as the reporting period, others such as those in Andhra Pradesh, Chhattisgarh, Maharashtra and Meghalaya prepare reports for every calendar year (January-December). It is unfortunate that even though Central RTI Act binds all 28 Information Commissions they have not adopted a uniform reporting period. Similarly the J&K State Information Commission has adopted the financial year as the index for its reports

As some more ICs have published their reports for that period subsequently, the revised figure stands at 24.94 lakhs (2.49 million).

- **By extrapolating this data it can be conservatively estimated that about 45-50 lakh (4.5 to 5.0 million) RTI applications may have been filed in various jurisdictions across the country during a 12-month period between 2012-14. The actual figure may be closer to 50 lakhs because several States where RTI is being used very prolifically, such as Andhra Pradesh, Bihar, Uttar Pradesh, Tamil Nadu and Kerala have not reported their RTI applications statistics for the period under scrutiny in this report.**
- **On the national scale the proportion of RTI users during an year between 2012-14 may will be between 0.37% - 0.41% of the population (of 121 crores/1.2 billion). As a proportion of the electorate – aged 18 years and above - between 0.5% - 0.6% of them might have used the RTI laws. Despite a decade of the Central RTI Act being in existence and the J&K RTI Act being in existence for more than five years the proportion of RTI users has not risen to even 0.5% of the population or even 1% of the electorate.**
- **The Central Government tops the list of jurisdictions receiving the most number of RTI applications in 2013-14 at 8.34 lakhs (73% public authorities reporting). Maharashtra comes in second with 7.03 lakh RTI applications received in 2014 followed by Karnataka in the 3rd place with 4.25 RTI applications, Gujarat at 4th place with 1.72 lakh RTI applications and Rajasthan taking the 5th place with 1.40 lakh RTI applications filed by citizens.**
- **Public authorities in the Central Government and the State Government of Maharashtra received 62% of the RTI applications filed across the 12 jurisdictions for which data is available and used in this study. RTI users in Maharashtra constitute about 0.6% of the population (11.2 crores/112 million). As a proportion of the electorate - aged 18 and above(8.07 crores/80.71 million) - 0.87% of them are RTI users. This is the closest that any State in India has come to the 1% desirable benchmark of RTI users during the last 10 years.**
- **The number of RTI applicants in J&K increased 127% in 2012-13 as compared to the previous year – the highest amongst all States which have reported their RTI statistics for the period 2012-13. This development augurs well for a State which is conflict-ridden for a very long period of time demonstrating the faith of people in constitutional and democratic methods of holding the public authorities accountable for their actions.**
- **With 1.40 lakh RTI applications filed in 2013-14, Rajasthan recorded almost double (97% increase) the number of requests reported in the previous year.**

- Gujarat has reported a 41% increase in the number of RTI applicants in 2013-14 while Karnataka has witnessed a 31% increase in the number of RTI applications at 4.25 during the same period as compared to the previous year.
- Odisha is the only State which has reported a decline in the number of RTI applications. In Odisha 52,305 requests were filed in 2011-12 this number fell by 17.76% to 43,011 in 2012-13. Himachal Pradesh also reported an 18% decline in the number of RTI applications filed in 2012-13 (61,202) as compared to the previous year, this could be due partly to a 16.6% decline in the number of public authorities (110) reporting their RTI statistics to the SIC as compared to 2011-12 (132 public authorities).
- Only two SICs have captured gender break up of RTI applicants. In Chhattisgarh women constituted 6.9% of the RTI applicants while in Nagaland they comprise 2.53% of the RTI applicants. None of the other ICs including the CIC have captured gender breakups in their annual reports. The available data shows that the proportion of women RTI applicants could be significantly lesser than the 8% figure reported in the RAAG-2 report published last year.²³
- In Maharashtra individuals from BPL families constituted 1.11% of the total number of RTI applicants, while in Chhattisgarh this proportion was 4.16%, and Mizoram and Nagaland have reported 3 and 9 BPL applicants respectively. No other State has captured the economic profile of the RTI applicants.
- In Chhattisgarh 6.37% of the RTI applicants belonged to the Scheduled Castes. This proportion has nearly doubled since 2013. RTI applicants from the Scheduled Tribes constitute 5.5% of the total. In 2013 they constituted only 3.06% of the total. No other State has captured the caste profile of RTI applicants in this manner. The steady increase in the absolute numbers as well as in terms of percentage augurs well for the success of the RTI Act as it is primarily aimed at empowering the disadvantaged segments of society to hold government and its instrumentalities accountable.
- In Chhattisgarh, the only State which continues to capture the urban-rural breakup of RTI applicants in its Annual Reports, less than a fifth of the applicants (19.85%) were living in villages. This proportion has reduced from 21% in 2012 even though there was a 21% rise in the number of RTI applications received across the State.

²³ See *People's Monitoring of the RTI Regime in India 2011-13*, RAAG and Samya-CES, New Delhi, 2014 pp. 1-2, accessible at: <http://www.rti-assessment.com/raag---ces--rti-study-2011-13.html>, accessed on 19 June, 2015.

XV.II Top 5 Public Authorities Receiving the Most Number of RTI Applications

Section 25(3)(a) of the Central RTI Act and Section 21(3)(a) of the J&K RTI Act obligate every public authority to submit to its parent Ministry/Department, an annual report of the total number of requests received. Many Information Commissions have published this data and many of them have gone a step ahead to rank the public authorities in terms of the number of times citizens approached them with information requests. Strangely the CIC has given up this practice in recent years. The data published in the Annual Reports included in this study shows that the pattern of seeking information is not uniform across the States. Conventional wisdom presumed that ministries and departments that have the largest clientele would receive the most number of RTI applications. However, when compared with our findings from the 2013 study, there are significant changes in the trends.

Main findings of the study (See Table 16)

- **As in the previous years, with more than 18% of the RTI applications coming its way, the Ministry of Finance in the Central Government topped the list of Ministries/Departments receiving the most number of RTI applications in 2013-14. This figure appears large due to the fact a large number of requests are filed with public sector banks and the tax authorities which fall under its jurisdiction. Standing alone, the Ministry of Railways comes second with 11.11% of the total number of RTI applications being filed with it, followed by the Ministries of Home Affairs (6.23%), Human Resource Development (6.21%) and the Communications and Information Technology (3.81%) taking the 3rd, 4th and 5th places, respectively. Together, the public authorities under these Ministries accounted for 45.41% of the RTI applications filed with the Central Government in 2013-14.**
- **Individually, the Ministry of Railways (10.77%) the Department of Posts (8.17%), Delhi Police (3.61%), State Bank of India (3.17%) and BSNL (2.84%) rank amongst the top 5 public authorities receiving the most number of RTI applications in 2013-14. Together they received 28.56% of the RTI applications filed with the Central Government in 2013-14.**
- **The Revenue, the Urban and Rural Development Departments and the Education come up more frequently than other departments receiving the most number of RTI applications in the 12 jurisdictions for which data is available. The Revenue Department tops the list of departments in the States of Karnataka (29.41%), Mizoram (9.42%), Odisha (28.86%) and Jammu and Kashmir (14.88%). The rural Development Department topped the list in Chhattisgarh (14.85%) and Himachal Pradesh (10.86%), while the Urban Development Department topped the list in Gujarat (24.91%) and Maharashtra (30.58%). In other States both departments vie with each other for the 2nd or 3rd position.**

- In Maharashtra the top 5 departments received 72% of the RTI applications filed across the State in 2014. Of this the Departments of Urban Development, Revenue and Forests and Rural Development and Water Conservation received more than a half of the RTI applications filed (60.42%). In Karnataka the Departments of Revenue and Urban and Rural Development received close to 2/3rds of the RTI applications (63.40%).
- The Department of Education figures frequently amongst the top 5 in the States of Gujarat (3.22%), Himachal Pradesh (5.83%), Karnataka (4.73%), Nagaland (8.5%), Odisha (13.99%), Rajasthan (7.47%) and Jammu and Kashmir (11.23%).
- In Nagaland, the Transport Department received more than 50% of the RTI applications filed in 2013-14. The Departments of Health and Family Welfare (4.45%), Education (8%) received the bulk of the remaining RTI applications. The Offices of the Deputy Commissioners in Dimapur, Nagaland (3.95%) and East Khasi Hills, Meghalaya (5.22%) were amongst the top 5 public authorities in those States.
- The Home Department including the Police and Prisons topped the list in Rajasthan (28.68%) and Meghalaya (9.33%). Its counterparts figured amongst the top five in the States of Gujarat (17.26%), Himachal Pradesh (8.94%), Maharashtra (5.55%), Mizoram (7.75%) and Jammu and Kashmir (8.45%).
- The Department of Forests appear to be receiving more and more RTI applications during the period under study as compared with our 2013 report. This Department figures amongst the top 5 in the States of Maharashtra (22.34% - albeit along with the Revenue Dept.), Chhattisgarh (9.77%), Meghalaya (7.09%) and Mizoram (4.10%). During the earlier period, this Department figured in the top 5 list only in Meghalaya.
- The Public Service Commissions of Meghalaya (6.03%) and Mizoram (3.95%) figure amongst the top 5 in those States indicating extensive use of the RTI by government servants or candidates appearing in civil services examinations.
- The Public Works Departments also figures frequently amongst the top 5, particularly in the States of Chhattisgarh (7.63%), Himachal Pradesh (8.60%), Mizoram (5.77%) and Odisha (4.15%).
- The Departments of Energy have also begun to figure in the top 5 list in Gujarat (5.47%) Maharashtra (6.01% albeit along with the Depts. of Industry and Labour) and Rajasthan (6.54%).
- Various public authorities under the Government of the National Capital Territory of Delhi (GNCTD) received the most number of RTI applications amongst the Union

Territories. **GNCTD received 1,17,840 RTI applications in 2013-14 which constitutes more than 14% of the RTI applications reported in the Annual Report of the CIC.**

XV.III Proportion of rejections at the RTI application stage

Section 7(1) of both the Central and J&K RTI laws authorise a public information officer to reject a request for any of the reasons given under Sections 8 and 9 of the respective laws. These provisions contain the exemptions that may be invoked to withhold access to information in the public interest. Section 7(8) of both laws requires a public information officer to give detailed reasons for denying access to information. An RTI application may also be rejected if the information sought is not held in material form by any public authority or by agreeing with the legitimate objections of third party under Section 11 of both laws. Security and intelligence organisations notified by the Central and State Governments do not have a duty to disclose any information other than that pertaining to allegations of corruption and human rights violations. Information relating to allegations of human rights violations may be disclosed only with the approval of the concerned Information Commission. Section 25(3)(b) of the Central RTI Act and the corresponding Section 22(3)(b) in the J&K RTI Act require public authorities to cite the number of instances in which they invoked the exemptions to reject information requests. In this study, we have compared the pattern of rejections based on information published in the Annual Reports available from 13 jurisdictions.

Main findings of the study (See Tables 15 & 17)

- **The largest proportion of rejections of RTI applications by public authorities was reported by the Odisha SIC at 7.98% for the year 2012-13. This figure has come down from 10.24% reported during the previous year. At 0.35% Karnataka reported the lowest proportion of rejection of RTI applications by public authorities for the year 2013-14 although this figure has gone up by 0.05% compared to the previous year. Nagaland with a rejection figure of 0.38% for the same period followed close behind although the number of RTI applications was miniscule compared to that filed in Karnataka.**
- **Maharashtra reported a rejection of 2.25% of the RTI applications received in 2014 – slightly higher than the 2013 figure of 2.13%. This shows a remarkable 370%+ reduction in the proportion of rejections compared to the proportion of rejections in 2012 (7.2%). The CIC reported a 7.20% rejection for the year 2013-14 marking a small reduction for the previous year's figure of 7.70%.**
- **In all other States for which data is available the proportion of rejection of RTI applications by public authorities ranged between less than 1% and 3.8%. Sikkim SIC reported 18 rejections in 2012 but the total number of RTI application filed during that year is not mentioned anywhere in the report.**

- In Jammu and Kashmir, the proportion of rejection has increased slightly to 1.54% in 2012-13 as compared to 1.37% the previous year although there was a 127% increase in the total number of RTI applications filed across that State.
- Only 3 ICs, namely, the CIC and the SICs of Karnataka and Gujarat have provided breakups of the clauses under which public authorities, reporting to them, have rejected RTI applications during the year 2013-14 (See Table 17).
- The Central Government reported the highest proportion of rejection of RTI applications i.e., 35.62% for reasons other than Sections 8, 9, 11 and 24 of the RTI Act. Karnataka comes in at second place with the public authorities rejecting more than a 30% of the RTI applications for reasons not specified in the Act. In Gujarat close to a fifth of the RTI applications – 19.5% were rejected for reasons other than the exemptions recognised under the Act. Meghalaya SIC's report does not contain similar breakup figures.
- Section 8(1)(j) relating to the personal privacy of individuals was the most frequently invoked of exemptions by public authorities under the Central Government and the Government of Karnataka. More than a third of the RTI applications in Karnataka (33.15%) were rejected by public authorities invoking this clause. Under the Central Government 23% of the RTI applications were rejected by public authorities invoking the protection for personal privacy. In Gujarat this figure was a little more than 10%. However Section 9 which protects private copyright and Section 11 which protects confidential information about third parties account for more than 20% of the rejections in Gujarat.
- Under the Central Government Section 8(1)(d) of the RTI Act pertaining to commercial confidence, trade secrets and intellectual property rights was the 2nd most frequently invoked exemption to reject RTI applications at 13.37%. In Karnataka Section 8(1)(h) of the Act pertaining to impediments in the investigation, arrest or prosecution process was the 2nd most frequently invoked exemption – 11.53%.
- In Gujarat, 6.2% of the RTI applications were rejected for reasons specified in Section 8(1)(a) of the RTI Act which pertains to national security and specified national interests of the State including foreign relations. In Karnataka public authorities invoked Section 8(1)(a) in 4.8% of the cases to reject RTI applications. Under the Central Government, Section 8(1)(a) accounted for only 0.05% of the rejections although in terms of absolute numbers, more RTI applications were rejected as compared to these two States.

- In Gujarat 23.5% of the RTI applications were rejected under Section 24 as they pertained to security and intelligence organisations exempted by the Government from the ordinary obligations of transparency like other public authorities. In comparison, Section 24 was invoked only in 6.52% of the cases where RTI applications were filed with the Central Government. Karnataka SIC has not reported the use of Section 24 for rejections during the current period.

XV.IV Receipt and Disposal of First Appeals

Section 19 of the Central RTI Act and Section 16 of the J&K RTI Act recognise the right of aggrieved RTI applicants to file an appeal with the designated First Appellate Authority who must be an officer senior in rank to the public information officer. A first appeal may be filed if the RTI applicant is not satisfied with the decision of the public information officer or if he/she did not receive a decision within the time limit specified in the two RTI laws. Both RTI laws do not prescribe any procedure for first appellate authorities to deal with appeals received from aggrieved RTI applicants. Further, the RTI Rules notified under both laws do not contain the details of procedure to be adopted for receiving and disposing first appeals. However the Department of Personnel and Training has issued some guidelines for Appellate Authorities for disposing appeals within the time limit specified in the two RTI laws. First appellate authorities are required to observe the principles of natural justice such as giving the appellant and the public information officer concerned an opportunity to present their cases before deciding an appeal.²⁴ They are also advised to provide copies of the information sought if they have easy access to it while deciding against a rejection order issued by the public information officer. If the information is not readily accessible they have the option of stipulating a time limit for the public information officer to supply the information to the appellant. Many Information Commissions time and again have directed appellate authorities to apply their minds to every appeal they are required to examine, instead of mechanically upholding a decision of rejection given by the public information officer. Many civil society actors and RTI users think that the first appeals procedure is pointless as first appellate authorities more often than not uphold the decision of the public information officer to reject a request. Nevertheless the data from some of the States studied below indicates that RTI users are using the first appeals mechanism as the option of filing complaints directly with the concerned Information Commission is no longer available, thanks to a 2011 judgement of the Supreme Court of India²⁵.

²⁴ Guidelines for the Officers Designated as First Appellate Authority, OM No. 1/3/2008-IR dated 25 April, 2008 accessible on the website of the Department of Personnel and Training, Government of India at: [http://ccis.nic.in/WriteReadData/CircularPortal/D2/D02rti/1_3_2008_IR\(Eng\).pdf](http://ccis.nic.in/WriteReadData/CircularPortal/D2/D02rti/1_3_2008_IR(Eng).pdf) accessed on 10 October, 2013.

²⁵ In the matter of *Chief Information Commr. & Anr. Vs State of Manipur & Anr.*, AIR 2012 SC864, the Hon'ble Court directed that the only redress mechanism available for a person aggrieved with a decision or inaction of the PIO is an appeal before the FAA instead of approaching the concerned information commission directly through the complaints route under Section 18. According to the Court's interpretation, Section 18 procedure only confers supervisory jurisdiction on Information Commissions and the only remedy that can be availed by an aggrieved citizen is a penalty imposed on the errant PIO. We respectfully disagree with this interpretation as it does not take into account the reference to the term 'complainant' in Sections 19(8) and 19(9) which relate to appeals procedures. It is necessary to read both Section 18 and 19 harmoniously in order to give effect to the remedial

Main findings of the study (See Table 18)

- In 2013 we had reported that the CIC was not including statistics about the receipt and disposal of first appeals in its Annual Reports. It is a good development that the latest Annual Report contains these statistics although the trends are not analysed in the narrative report. **While the CIC reported that 60,127 RTI applications were rejected by PIOs in 2013-14, the number of first appeals filed with various First Appellate Authorities (FAAs) was 57% higher at 94,945.** This figure may include first appeals filed against rejections issued at the end of the previous reporting year – 2012-13. However the number of first appeals is disproportionately large and indicates lack of satisfaction amongst the RTI applicants with the information or reply provided by the PIOs.
- **The highest proportion of first appeals was reported in Karnataka 1,786%. While the SIC has reported that 1,517 RTI applications were rejected the number of first appeals filed was 28,614.** This indicates the extremely high level of dissatisfaction with the decisions of the PIOs. It comes as no surprise that Karnataka has also reported the highest figure for the quantum of penalties reported across the 13 jurisdictions included in this study (see para # XV.VI below).
- **Nagaland clocked a 1,325% increase in the number of first appeals (228) filed as against the number of rejections (16) at the application stage.**
- **Maharashtra comes third in terms of first appeals outnumbering rejections (in 2014). While 15,848 rejections were recorded for this period, the proportion of first appeals filed was 490% of the rejections (77,678). Of this only 7,139 appeals were rejected by FAAs and information is said to have been provided in the remaining cases.**
- **Similarly, in Jammu and Kashmir the proportion of first appeals filed was 200% more than the number of rejections (426) issued by the PIOs. Next stands Rajasthan clocking 5,191 rejections in 2013-14 but the first appeals were 147% higher (12,849) than the number of rejections.** Information was denied by FAAs only in 3,089 cases. **Meghalaya also witnessed a 143% increase in the number of first appeals (73) as compared with the rejections (30).** Disposal data is not available in the Annual Report of the SIC.
- **The CIC and the SICs of Himachal Pradesh, Meghalaya, Sikkim and Jammu and Kashmir do not provide any details about the outcomes of the first appeals filed. While disposal figures are provided by the SICs of Karnataka and Nagaland, the outcome of the first appeals is not known.**

measures provided in those provisions. Further, this ratio is applicable only for jurisdictions covered by the Central RTI Act. In our opinion it does not apply to the redress procedures available under the J&K RTI Act, 2009.

XV.V Receipt and Disposal of Second Appeals and Complaints by ICs

Both RTI laws establish Information Commissions for the purpose of redressing grievances of citizens who are not satisfied with the responses of public authorities or their designated representatives such as public information officers and first appellate authorities. Under Section 19(3) of the Central RTI Act and Section 16(3) of the J&K RTI Act, citizens may file a second appeal with the concerned Information Commission if they are aggrieved by the decision of the first appellate authorities. Third parties who are aggrieved by the order of a first appellate authority to disclose information pertaining to them may also file a second appeal with the Information Commissions.

Main findings of the study (See Table 19)

- Under ideal conditions one would expect that the number of second appeals filed with the Information Commissions, as a proportion of the total number of RTI applications rejected, would reduce because of the first appeals mechanism available for redressing grievances. However, the trend of filing second appeals and complaints in several States contradict this expectation.
- **The SIC of Maharashtra recorded a total of 47,415 appeals and complaints filed during the period 2014. While only 15,848 RTI applications were rejected that year and FAAs denied access to information in only 7,139 first appeals, the second appeals were 583% more than the proportion of rejections issued by FAAs.** This high proportion of second appeals and complaints filed in Maharashtra indicates the high level of dissatisfaction amongst the RTI users with the decision-making processes involving the PIOs and FAAs. The SIC started 2014 with a backlog of 32,682 second appeals and complaints pending from the previous year.
- **In Gujarat, the number of first appeals filed is not known for the period 2013-14. However the number of second appeals filed before the SIC was 84.44% of the number of RTI applications (5,748) rejected by the PIOs.**
- **Similarly in Odisha only 1,469 first appeals were filed in 2012-13 which constituted about 57% of the rejections recorded by the PIOs (3,431). However the total number of second appeals and complaints filed with the SIC was 358% of the number of first appeals filed.** The SIC started the year with a backlog of 6,453 second appeals and complaints pending from the previous year. Once again the high degree of dissatisfaction amongst RTI users with the decisions of the PIOs and FAAs was starkly evident.
- **In Rajasthan the FAAs rejected access to information in 3,089 cases but the number of second appeals and complaints filed with the SIC was more than double that figure (6,369 or 106%).**

- **The proportion of second appeals and complaints was much lesser than the number of first appeals filed in the States of Himachal Pradesh, Meghalaya and Nagaland.**

XV.VI Imposing Penalties, Awarding Compensation and Recommending Disciplinary Action

Under Section 20(1) of the Central RTI Act and Section 17(1) of the J&K RTI Act, an Information Commission may impose a penalty on the public information officer from Rs. 250 per day to a maximum of Rs. 25,000. A public information officer may be penalized for refusing to receive an RTI application or delaying the furnishing of information without reasonable cause; malafidely denying access to information, knowingly giving incomplete, false or misleading information; destroying information that is the subject matter of a pending RTI application or obstructing the furnishing of information in any manner. The Information Commissions are also empowered to recommend disciplinary action against a public information officer who repeatedly contravenes the provisions of the RTI laws. The Information Commissions are also empowered to award compensation to an appellant or complainant who has suffered any loss or detriment on account of wrongful denial of information.

Anecdotal evidence indicates that Information Commissions are reluctant to impose penalties or recommend disciplinary action against public information officers. Most of the Information Commissioners who were career bureaucrats before joining the Information Commission are perceived to adopt a very lenient attitude towards public information officers who do not comply with their obligations under the RTI laws. The statistics given below supports this perception to some extent in many States.

Main findings of the study (See Table 20)

- **The CIC and the SICs of Chhattisgarh, Gujarat, Himachal Pradesh, Karnataka, Maharashtra, Meghalaya, Nagaland, Odisha, Rajasthan, Sikkim and Jammu and Kashmir imposed penalties to the tune of Rs. 3.33 crores²⁶ in more than 690 cases²⁷ during the period under study. Mizoram’s SIC alone did not report imposition of penalty on any PIO.**
- **The SIC of Karnataka again topped the list of ICs in terms of the total value of penalties imposed at Rs. 1.34 crores/Rs. 13.4 million²⁸ – more than 1/3rd of total amount. The Departments of Rural Development (Rs. 39.28 lakhs/Rs. 3.92 million) Urban Development (Rs. 36.63 lakhs/Rs. 3.66 million) and Revenue (Rs. 29.76 lakhs/Rs. 2.97 million) topped the list of Departments which attracted the highest volume of penalty in that order.**

²⁶ USD 524,409 (where USD 1 = INR 63.50).

²⁷ Several ICs do not provide the actual number of cases in which penalty has been imposed.

²⁸ USD 211,023.

- Rajasthan SIC came a close second by imposing penalties worth Rs. 80 lakhs. The number of cases in which penalty was imposed is not known. The Maharashtra SIC imposed penalty totalling Rs. 42.37 lakhs / Rs. 4.23 million in 2014 in 412 cases. These figures are down from Rs. 56.80 lakhs/ Rs. 5.68 million penalty imposed in 510 cases as reported in 2013. The J&K SIC imposed penalties worth Rs. 1.4425 lakhs/Rs. 144,250 in 7 cases in 2012-13.
- While the CIC reported that a little more than 47% of the total amount of penalty imposed i.e., Rs. 19.25 lakhs/Rs. 1.92 million was actually recovered from the PIOs, the Rajasthan SIC reported recovery of less than 25% of the penalty imposed (Rs. 19.71 lakhs/Rs. 1.97 million). Recovery figures are not known for other SICs.
- The Maharashtra SIC awarded Rs. 16.28 lakhs / Rs. 1.61 million as compensation in 198 cases in 2014. Karnataka's SIC stood at second place by awarding more than Rs. 12.12 lakh/Rs. 1.21 million compensation in as many as 844 cases. This figure is 4 times more than the figure we reported in 2013. The CIC has not indicated whether any compensation was awarded to any appellant during the year 2013-14. The Mizoram SIC's Annual Report also does not contain any reference to orders awarding compensation to appellants/complainants.²⁹
- Only the CIC and the SICs of Chhattisgarh and Maharashtra provided statistics of recommendation of disciplinary action against PIOs persistently contravening the provisions of the Central RTI Act- 8 and 3 and 394 cases respectively. This category of data is not available for any other SICs covered under this study.

XVI Average cost of disposing appeals and complaints in the Information Commissions

In this study we have included a new parameter regarding the average cost incurred by the Information Commissions at the Central and State level for disposing of second appeals and complaints during the latest year for which data is available. None of the Information Commissions include a cost breakup for disposing appeals in their budgets or expenditure figures. So we have followed a simple methodology to arrive at the *per capita* cost of disposing appeals and complaints. We have taken the total annual budget declared by the 13 Information

²⁹ In response to our Rapid Study 2.0 published in 2014, the Mizoram SIC wrote back to us on 17/7/2014 stating that it had never received any case seeking compensation. This phenomenon needs to be inquired further by RTI activists and organisations based in the State. It could be due to inadequate levels of awareness about the right to demand compensation amongst appellants/complainants. The English language RTI guide displayed on the SIC's website does not contain a reference to Section 19(8) which entitles an appellant/complainant to receive compensation for loss or detriment suffered. Perhaps this important provision is not included in the Mizo RTI Guide as well. The SIC could rectify this lapse by inserting a para explaining the right of citizens to demand compensation from the public authority for loss or detriment suffered due to unreasonable denial of or delay in supplying information.

Commissions and divided it by the total number of second appeals and complaints disposed by each of them during that year to arrive at the average or *per capita* figure. However, these findings are subject the following caveats:

- 1) The Information Commissions spend small or large sums from their budgets for promotional activities. Theoretically this amount cannot be included in the cost of disposal of cases by the IC. However as all ICs do not provide breakups of the funds spent on such promotional activities, we have little choice but to take the annual budget as a whole for the purpose of calculation;
- 2) This is only an average figure. The actual cost per case will vary according to the number of hearings conducted and the length of time spent by the Information Commissioner and his/her staff on each case; and
- 3) The average cost is the cost incurred by the concerned IC only. It does not include the cost incurred by the concerned Government for appearing in the appeals and complaints cases. If a methodology for calculating the cost to the public exchequer can be worked out the average or per capita figures are likely to be much higher. If the amount of funds spent by RTI appellants and complainants are also included then the cost to society may also be calculated. However appropriate cost calculation methodologies need to be identified to attempt such an exercise. The present effort is but the first attempt in this direction.

Main findings of the study (See Table 22)

- **At Rs. 21.45 lakhs/Rs. 2.14 million³⁰ per case, the Mizoram SIC appears to be the most expensive across the country. Despite the miniscule number of cases the big budget allocated to the SIC is the main factor behind the inflated figure. Meghalaya SIC comes a distant 2nd with Rs. 1.25 lakhs per case followed by Sikkim SIC with an average cost of Rs. 85,772 per case. The Jammu and Kashmir SIC spent an average of Rs. 13,885 per case while this figure is Rs. 13,270 for the Himachal Pradesh SIC.**
- **Maharashtra SIC incurred the lowest average cost at Rs. 1,459 per case amongst all ICs for which comparative data is available. The *per capita* cost in Karnataka was Rs. 3,704 and as high as Rs. 6,857 in Chhattisgarh.**
- **Amongst the other Information Commissions with heavier workload, the *per capita* cost of disposing a case was the lowest in Gujarat at Rs. 2,018, Rajasthan at Rs. 2,145 and Odisha at Rs. 2,939.**
- **The CIC's average cost per case comes to Rs. 3,772 in 2013-14.**

³⁰ USD 33,779 (where USD 1 = INR 63.50)

Recommendations

- 1) *While in some Information Commissions pendency levels have not come down appreciably despite the existence of 9-10 Information Commissioners, some States have appointed more Commissioners than may probably be necessary to tackle the pendency levels. The SICs of Arunachal Pradesh and Haryana may be presented as two such examples. In 2013 and again in 2014, we had recommended that Governments and advocators of transparency must make a rational assessment of pendency and disposal rates in Information Commissions for scientifically determining the number of Information Commissioners required. This exercise does not seem to have been undertaken by many Governments. We once again urge Governments to pay serious attention to the RTI users and advocators who are pressing for making conducting such an assessment for determining the ideal number of Information Commissioners required to decide appeals and complaints within short periods of time. Information Commissions, governments and RTI advocators must work together to develop norms for case disposal in order to ensure speedy resolution of information access disputes.*
- 2) *Serious efforts must be made to identify suitable candidates who meet the qualifications criteria for appointments as Information Commissioners from the diverse fields of knowledge mentioned in the twin RTI laws. No particular field of knowledge or experience must be unduly favoured over others while making such appointments. Further, a person who does not fulfil the criteria for an Information Commissioner as provided in the two RTI laws must not be considered for shortlisting at all. Further, no Information Commissioner should be required to take an oath of secrecy as it is a contradiction of the letter and the spirit of the RTI laws and also the format of the oaths contained in their first schedules.*
- 3) *The selection committees and the appointing authorities must make conscious efforts to increase the representation of women in the Information Commissions.*
- 4) *Where serving or retired civil servants are considered for shortlisting, Governments must look for their demonstrable track record of promoting transparency and the implementation of the RTI Act in the offices where they have worked. Officers who have served in organisations notified under Section 24 of the RTI Act must not be considered for appointment unless they have a demonstrable record of promoting greater transparency and accountability in such organisations.*
- 5) *In order to facilitate greater ease of access to people all Information Commissions that have not done so already must immediately set up a local language version of their websites.*
- 6) *All Information Commissions that have not done so, must provide online facilities for aggrieved applicants to submit second appeals and complaints online.*

- 7) All Information Commissions that have not done so, must upload cause lists on their websites in the interests of improving transparency and predictability in their working. Publishing cause lists in the official language of the State will make this facility more people-friendly.**
- 8) Cause lists of past cases may be archived for the purpose of researchers who may like to analyse the performance of Information Commissions.**
- 9) All Information Commissions must install case status search facilities on their websites in the local language for the use of all parties to a case. This facility must display the latest report of the action taken on an appeal or complaint pending before the Commission. Such real time display of case status will help allay fears in the minds of appellants and complainants that the Commissions sit on their cases endlessly even to the extent of losing the case papers on occasion. MIS unit of the Information Commissions must be staffed with competent data entry operators and supervisors.**
- 10) All Information Commissions that do not so do already, must make the effort to upload statistics about the receipt and disposal of appeals and complaints cases indicating the pendency levels, month-wise on their websites. Management Information Systems (MIS) are available for this purpose as indicated by the regular updating of such information on the websites of the CIC and the Information Commissions of Maharashtra and Uttarakhand. Such disclosure will go a long way in building people's confidence in the intention of the Information Commissions to quickly dispose people's grievances related to access to information.**
- 11) All Information Commissions that have not done so already, must upload all decisions and orders on their websites. Decisions in matters decided by past State Information Commissioners may be archived.**
- 12) All Information Commissioners must record the basic facts and details relating to an appeal or complaint they decide, such all relevant dates, text of the RTI queries and the detailed grounds on which the PIO or the FAA rejected the request for information disclosure. IN the absence of such facts, it is not possible to make sense of the decisions of ICs. Further, recording such basic facts will help the ICs themselves to look at past precedents while deciding newer cases – either to make a break from the precedent or continue to adhere to it.**
- 13) All databases of decisions and orders issued in English must be linked to a robust search engine for assisting any person to search through them using key words. Such a measure would be of great assistance to appellants, respondents and researchers.**
- 14) Where decisions are issued in languages other than English, it is useful to provide a summary of the decision in English containing details such as: information sought, grounds for second appeal/complaint and the decision/order passed by the Information Commission. The database would then become a resource not only for other**

Information Commissions but also for researchers who would like to study the trends and performance of the Information Commissions.

- 15) Publishing Annual Reports in a timely manner at least within six months of the ending of the reporting year must become a priority with all Information Commissions. Many Information Commissions have not taken up this task in real earnestness as a result of which it is difficult to make a realistic assessment about the implementation of the RTI laws across the country.**
- 16) Information Commissions will be able to compile their Annual Reports in a timely manner only if they receive statistical data from all public authorities under their jurisdiction. According to Section 25(2) of the Central RTI Act and Section 22(2) of the J&K RTI Act the duty of ensuring reporting of RTI returns from all public authorities lies squarely on the concerned Ministries. Unless they apply pressure on public authorities under their jurisdiction they will not fall in line to submit RTI returns in a timely manner. They must insist filing of RTI returns at least every quarter. The nodal department charged with ensuring the implementation of the RTI law under each appropriate Government, must send frequent reminders to the other Ministries and Department to do their mandated job.**
- 17) Even if the RTI returns are not forthcoming from the ministries/departments, Information Commissions have the statutory duty to publish a report of their own activities at least and submit it to the respective Legislatures in order to account for spending the taxpayers' money. This would provide them the opportunity to publicly name and shame the defaulting public authorities and compel compliance with the reporting requirement under the respective RTI laws.**
- 18) At the very minimum, all Annual Reports must be drafted in the official languages used by the appropriate Governments within their jurisdiction.**
- 19) Information Commissions must scrupulously follow the provisions and procedures laid down in the RTI laws while conducting penalty proceedings in order to ensure that penalty is imposed on legally valid grounds and in all deserving cases.**
- 20) In order to dispel doubts in the minds of appellants and complainants as to why penalties were not imposed on errant public information officers, every Information Commission must, as a rule, record their reasons as to why penalty was not imposed on a public information officer despite issuing a show cause notice.**
- 21) Information Commissions must also report on the number of times they have upheld a decision of rejection of a request for information either wholly or partially under one or more exemption clauses in the RTI laws. This will ensure that there is greater accountability of the Information Commissions in their own decision-making procedures. ICs must insist on FAAs to provide similar information about the number of instances in**

which the exemptions were invoked to justify denial of access to information as is being done by the SICs of Mizoram and Sikkim.

- 22) *Information Commissions must publish in their Annual Reports details of cases where penalties were imposed and disciplinary action was recommended.***
- 23) *All Information Commissions must regularly monitor compliance with their orders imposing penalties, awarding compensation or recommending disciplinary action even if those orders are stayed by High Courts. The relevant RTI rules may be amended in order to ensure such monitoring as has been done in the latest RTI Rules notified by the Government of Uttarakhand.***
- 24) *Information Commissions cannot and must not shy away from their own obligation of disclosing their budget and expenditure figures. As the budget is always approved along with the budget of the appropriate Government every year, there is no reason why this information cannot be uploaded on the websites of Information Commissions soon after receipt of confirmation from the Finance Department. The Chief Information Commissioners being responsible for the day-to-day functioning of the Commissions must ensure that all information about budgets and expenditure are upload on their website without fail.***
- 25) *Information Commissioners must proactively disclose their assets and liabilities statements on their respective websites in order to improve public confidence in their personal integrity as well as the integrity of the Information Commission. This must become an annual exercise without waiting for the State Governments to enact Lokayukta laws along the lines of the Lokpal and Lokayuktas Act, 2013.***
- 26) *The text of the Central RTI Act must be translated into all languages recognised in the Eighth Schedule of the Constitution and disseminated in the concerned areas with simple language user guides in those languages. Efforts must be put in to make translations of the RTI laws and user guides available in other popular languages spoken across the country. If Nagaland can do it for so many popular dialects, there is no reason why this cannot be done in other States.***
- 27) *There are instances where the RTI User Guides do not contain an explanation of the full range of rights enjoyed by a citizen under the RTI laws (see foot note 29 above). So it is essential that the ICs immediately review the user guides published by the relevant government or themselves and recommend the filling up any lacunae that may be found.***
- 28) *Instead of leaving the responsibility of conducting awareness raising programmes on RTI with the departments that spearhead implementation efforts in all public authorities, both Central and State Governments must mainstream RTI training into all awareness and capacity building programmes. The oft voiced concern of civil servants that RTI awareness has not reached the 'real citizens who need transparency' can be***

addressed by synergizing in this manner. These efforts must include civil society and media organizations already engaged in promoting awareness about RTI and Information Commissions across the country.

29) A cost–benefit analysis of the working of Information Commissions across the country must be undertaken in order to enable the rational use of available resources. RTI activists and civil society organisations monitoring the implementation of the RTI laws must work towards developing a methodology for undertaking a performance audit of the Information Commissions.

30) All Information Commissions that have not done so already must publish the photographs of the serving members in the manner of the Supreme Court and High Courts as a courtesy to appellants and complainants.

Abbreviations

Acad.	=	Academic
Admin. & Gov.	=	Administration and Governance
CPI	=	Communist Party of India
IAS	=	Indian Administrative Service
IFS	=	Indian Foreign Service
IFoS	=	Indian Forest Service
IIS	=	Indian Information Service
ILS	=	Indian Legal Service
INC	=	Indian National Congress
IPoS	=	Indian Postal Service
IPS	=	Indian Police Service
IRS	=	Indian Revenue Service
Mgmt.	=	Management
N	=	No
Pub. Ad.	=	Public Administration
Rtd.	=	Retired
SAD	=	Shiromani Akali Dal
SCIC	=	State Chief Information Commissioner
Science & Tech.	=	Science and Technology
Soc. Serv.	=	Social Service
State CS	=	State Civil Services
UN	=	United Nations
Y	=	Yes
?	=	Status cannot be ascertained

Data Tables

Table 1: Vacancies in the Information Commissions

Sl. No.	Information Commission	As constituted originally	Expanded to (2012)	Expanded to (2013-14)	Status in 2014	Current strength (2015)	Vacancies (2015)
1.	Central Information Commission	5	9	9	8	8	1
2.	Andhra Pradesh	1	4	9	9	9	0
3.	Arunachal Pradesh	4	5	5	5	5	0
4.	Assam	2	2	2	1	1	1
5.	Bihar	3	3	3	3	3	0
6.	Chhattisgarh	1	3	3	3	3	0
7.	Goa	1	2	2	1	0	2
8.	Gujarat	1	3	5	5	2	3
9.	Haryana	1	4	8	10 ³¹	9	1
10.	Himachal Pradesh	1	2	2	2	2	0
11.	Jharkhand	7	7	7	2	3	4
12.	Karnataka	3	6	6	5	5	1
13.	Kerala	1	4	6	5 ³²	3 ³³	2 ³⁴
14.	Madhya Pradesh	1	4	6	6	6	0
15.	Maharashtra	1	7	8	8	8	0
16.	Manipur	1	2	2	0	1	1
17.	Meghalaya	1	1	1	1	1	0
18.	Mizoram	1	2	3	2	2	1
19.	Nagaland	1	3	3	2	2	1
20.	Odisha	2	3	3	2	2	1
21.	Punjab	1	9	10	10	10 ³⁵	1
22.	Rajasthan	1	2	2	1	2	0

³¹ Two more SIC posts were created in the Haryana State Information Commission by 2014.

³² Does not include one SIC who is under suspension since November 2012.

³³ Does not include one SIC who continues to be under suspension.

³⁴ If the SIC under suspension is included in this figure as he is not undertaking any work, the vacancy will increase to 3.

³⁵ One more SIC post seems to have been created recently taking the number up to 11. But one SIC had retired less than a week before the compilation of this report.

Table 1 (contd.)

Sl. No.	Information Commission	As constituted originally	Expanded to (2012)	Expanded to (2013-14)	Status in 2014	Current strength (2015)	Vacancies (2015)
23.	Sikkim	1	1	1	1	1	0
24.	Tamil Nadu	1	7	7	5	4	3
25.	Telangana	State Information Commission has not been constituted yet					
26.	Tripura	3	3	3	1	1	2
27.	Uttarakhand	1	4	6	6	4	2
28.	Uttar Pradesh	1	10	11	11	10	1
29.	West Bengal	1	3	3	2	2	1
30.	Jammu and Kashmir	1	3	3	3	3	0
		50	118	139	120³⁶	111	29³⁷

³⁶ The total number of posts existing across all Information Commissions was 140 in 2014 and 141 in 2015.

³⁷ If the SIC under suspension in Kerala is included in this figure as he is not undertaking any work, the vacancies will increase to 30.

Table 2: No. of Women ICs and their Background

Sl. No.	Information Commission	Status as in 2014	Status as in 2015	Background of the Women ICs in 2015
1.	Central Information Commission	1	1	Administration (Retd. IPoS Officer)
2.	Andhra Pradesh	2	2	Advocate (1), Public Administration (Principal, Degree and PG College and social worker)
3.	Arunachal Pradesh	1	1	Social Worker
4.	Goa	1	0	Both posts in the SIC are vacant
5.	Gujarat	1	0	Gujarat High Court quashed the woman SIC's appointment in February 2015 ³⁸
6.	Haryana	1	2	1) Administration (Retd. IAS officer) 2) Social activist & educationist
7.	Maharashtra	1	1	Administration (Retd. IAS officer)
8.	Nagaland	-	1	Administration (Retd. State Civil Servant)
8.	Odisha	-	1	Social activist
9.	Punjab	1	0	-
10.	Tamil Nadu	1	1	Advocate
11.	Tripura	1	0	-
12.	Uttar Pradesh	1	1	Social Work and Mass Media
	Total	12	11	-

³⁸ *Jagte Raho vs The Chief Minister of Gujarat and Ors.*, Writ Petition (PIL) No. 143 of 2014, judgement dated 12/02/2015.

Table 3: Background of Serving Chief Information Commissioners

Sl. No.	Information Commission	Law	Science & Technology	Social Service	Management	Journalism & Mass Media	Administration & Governance
1.	Central Information Commission	-	-	-	-	-	✓ (IAS) ³⁹
2.	Andhra Pradesh	-	-	-	-	-	✓ (IAS)
3.	Arunachal Pradesh	-	-	-	-	-	✓ (IAS)
4.	Assam	-	-	-	-	-	✓ (IAS)
5.	Bihar	-	-	-	-	-	✓ (IAS)
6.	Chhattisgarh	-	-	-	-	-	✓ (IAS)
7.	Goa (Vacant)	-	-	-	-	-	-
8.	Gujarat	-	-	-	-	-	✓ (IAS)
9.	Haryana	-	-	-	-	-	✓ (IAS)
10.	Himachal Pradesh	-	-	-	-	-	✓ (IAS)
11.	Jharkhand	-	-	-	-	-	✓ (IAS)
12.	Karnataka	-	-	-	-	-	✓ (IAS)
13.	Kerala	-	-	-	-	-	✓ (IPS)
14.	Madhya Pradesh	-	-	-	-	-	✓ (State CS)
15.	Maharashtra	-	-	-	-	-	✓ (IAS)
16.	Manipur	-	-	-	-	-	✓ (IFS)
17.	Meghalaya	-	-	-	-	-	✓ (IAS)
18.	Mizoram	-	-	-	-	-	✓ (IFS)
19.	Nagaland	-	-	-	-	-	✓ (State CS)

³⁹ The CIC being a postgraduate in law has an additional specialisation.

Table 3 (contd.)

Sl. No.	Information Commission	Law	Science & Technology	Social Service	Management	Journalism & Mass Media	Administration & Governance
20.	Odisha (Vacant)	-	-	-	-	-	-
21.	Punjab	-	-	-	-	-	✓ (IAS)
22.	Rajasthan	-	-	-	-	-	✓ (IAS)
22.	Sikkim	-	-	-	-	-	✓ (IAS)
24.	Tamil Nadu(Vacant)	-	-	-	-	-	-
25.	Telangana	State Information Commission has not been constituted yet.					
26.	Tripura	-	-	-	-	-	✓ (IAS)
27.	Uttarakhand (Vacant)	-	-	-	-	-	-
28.	Uttar Pradesh	-	-	-	-	-	✓ (IAS)
29.	West Bengal	-	-	-	-	-	✓ (IAS)
30.	Jammu and Kashmir	-	-	-	-	-	✓ (IRS)
	Total		0	0	0	0	25

Table 4: Background of Serving Information Commissioners

Sl. No.	Information Commission	Law	Science & Technology	Social Service	Management	Journalism & Mass Media	Administration & Governance	Others	Total
1.	Central Information Commission	1	-	-	1 ⁴⁰	-	5 ⁴¹ (IAS-1; IPS-1; IPOS-1; ILS-1, IFS-1)	-	7
2.	Andhra Pradesh	3 (Retd. Civil judge-1; Advocates-2)	-	-	-	1	4 (IPS-2; IFoS-1; Academic-1)	-	8
3.	Arunachal Pradesh	2 ⁴²	-	1	-	-	-	1 (Sports)	4
4.	Assam	-	-	-	-	-	-	-	0
5.	Bihar	-	-	-	-	-	2 (IAS-1; IIS-1)	-	2
6.	Chhattisgarh	-	-	-	-	-	2 (IAS-1; IFoS-1)	-	2
7.	Goa	-	-	-	-	-	-	-	0
8.	Gujarat	-	-	-	-	-	1 (IAS-1)	-	1

⁴⁰ This IC has a specialisation in banking and finance, management and governance sectors.

⁴¹ One IC has a specialisation in law.

⁴² One IC had earlier unsuccessfully contested the 2004 State Assembly elections as a candidate of the Indian National Congress party. See website of the Election Commission of India at: http://eci.nic.in/SEP2004_AFFIDAVITS/SE/S02/29/EkenRiba/EkenRiba.htm, accessed on 19 June, 2015.

Table 4 (contd.)

Sl. No.	Information Commission	Law	Science & Technology	Social Service	Management	Journalism & Mass Media	Administration & Governance	Others	Total
9.	Haryana	-	-	-	-	2	5 (IAS-3; IPS-1; Army-1)	1 (Ph.D.- Rural Dev. Planning) ⁴³	8
10.	Himachal Pradesh	1 ⁴⁴	-	-	-	-	-	-	1
11.	Jharkhand	1 ⁴⁵	-	-	-	1	-	-	2
12.	Karnataka	1	1 (doctor)	1 ⁴⁶	-	-	1 (State CS-1)	-	4
13.	Kerala	1	-	1	-	-	1 ⁴⁷ (IPS-1)	-	3
14.	Madhya Pradesh	1	-	-	-	2	2 (IAS-1; IPS-1)	-	5
15.	Maharashtra	-	-	-	-	-	7 (IAS-2; State CS-4+ 1 Engineer)	-	7

⁴³ The Leader of the Opposition is reported to have entered a dissent note against the recommendation to appoint this candidate on account of her close connections with the advisor of the then Chief Minister who was the chairperson of the selection committee. See news report at: <http://indianexpress.com/article/india/india-others/haryanas-new-info-commissioners-wife-of-hoodas-aide-hc-judges-husband/>, accessed on 19 June, 2015.

⁴⁴ The IC was the Senior Advocate General to the Government of HP during the period 1998-2003. See news report at: http://zeenews.india.com/news/himachal-pradesh/kd-batish-new-information-commissioner-of-himachal_780223.html, accessed on 19 June, 2015.

⁴⁵ The IC was the Registrar General of the Jharkhand High Court and earlier Law Secretary to the Government.

⁴⁶ The IC worked as the State's Commissioner for Persons with Disabilities during the period 2004-2007.

⁴⁷ This IC is under suspension since 2012.

Table 4 (contd.)

Sl. No.	Information Commission	Law	Science & Technology	Social Service	Management	Journalism & Mass Media	Administration & Governance	Others	Total
16.	Manipur	No State Information Commissioner appointed to existing vacancy							
17.	Meghalaya	Post of State Information Commissioner not created yet							
18.	Mizoram	-	-	-	-	-	1 (IPS)	-	1
19.	Nagaland	-	-	-	-	-	-	1 (Ex-member INC)	1
20.	Odisha	1	-	1	-	-	-	-	2⁴⁸
21.	Punjab	2	1 (Engineer)	1	-	1	3 (IAS)	1 (ex-Member SAD)	9
22.	Rajasthan	-	-	-	-	-	1 (IAS)	-	1
23.	Sikkim	Post of State Information Commissioner not created yet							
24.	Tamil Nadu	3 (Advocate-2; Retd. Dist. Judge-1)	-	-	-	-	-	1 (IPS-1)	4
25.	Telangana	State Information Commission has not been constituted yet ⁴⁹							

⁴⁸ The Leader of the Opposition is reported to have entered a dissent note against the recommendation to appoint both candidates, see news report at: http://www.telegraphindia.com/1150518/jsp/odisha/story_20655.jsp#.VYOzNvmgqko, accessed on 19 June, 2015.

⁴⁹ The AP State Information Commission has not been bifurcated despite the bifurcation of Telangana from the erstwhile undivided State of Andhra Pradesh. The APSIC is hearing appeals and complaints filed by residents of Telangana as well.

Table 4 (contd.)

Sl. No.	Information Commission	Law	Science & Technology	Social Service	Management	Journalism & Mass Media	Administration & Governance	Others	Total
26.	Tripura	No State Information Commissioner appointed to existing vacancies							
27.	Uttarakhand	1 (Advocate)	-	1	-	1	1 (IAS)	-	4
28.	Uttar Pradesh	1	-	1	-	7	-	-	9
29.	West Bengal	-	-	-	-	-	1 (IAS)	-	1
30.	Jammu and Kashmir	1	-	-	-	-	1 (State CS cum Engineer)	-	2
	Total	20	2	7	1	15	37	5	87

Table 5: Background of CIC/SCICs and ICs appointed after 03/09/2013

Sl. No.	Information Commission	Law	Science & Technology	Social Service	Management	Journalism & Mass Media	Administration & Governance	Others	Total
1.	Central Information Commission	1 (Law Professor)	-	-	-	-	6 (IAS-2; IPS-1; IFS-1; IPoS-1; ILS-1)	-	7
2.	Assam	-	-	-	-	-	1 (IAS)	-	1
3.	Arunachal Pradesh	1	-	1	-	-	-	2 (Ex-Minister-1; Sports-1)	4
4.	Bihar	-	-	-	-	-	3 (IAS-2; IIS-1)	-	3
5.	Chhattisgarh	-	-	-	-	-	2 (IAS-1; IFoS-1)	-	2
6.	Gujarat	-	-	-	-	-	1 (IAS)	-	1⁵⁰
7.	Haryana	-	-	-	-	2	2 (IAS)	1 (Ph.D.-Rural Dev. Planning)	5
8.	Jharkhand	-	-	-	-	1	1 (IAS)	-	2

⁵⁰ This table does not include the two ICs whose appointment was quashed by the Gujarat High Court in 2015.

Table 5 (contd.)

Sl. No.	Information Commission	Law	Science & Technology	Social Service	Management	Journalism & Mass Media	Administration & Governance	Others	Total
9.	Karnataka	-	-	-	-	-	1 (State CS)	-	1
10.	Madhya Pradesh	1	-	-	-	2	3 (IAS-1; IPS-1; State-CS-1)	-	6
11.	Maharashtra	-	-	-	-	-	6 (IAS-2; State CS-4)	-	6
12.	Manipur	-	-	-	-	-	1 (IFS)	-	1
13.	Nagaland	-	-	-	-	-	1⁵¹ (State CS)	-	1
14.	Odisha	1	-	1	-	-	-	-	2
15.	Punjab	-	-	1	-	-	2 (IAS)	1 (ex- Member SAD)	4
16.	Rajasthan	-	-	-	-	-	1 (IAS)	-	1
17.	Uttarakhand	-	-	-	-	-	1 (IAS)	-	1
18.	Uttar Pradesh	1 (Advocate)	-	1	-	6	1 (IAS)	-	9

⁵¹ The IC who was already serving in Nagaland was elevated to the post of the SCIC.

Table 5 (contd.)

Sl. No.	Information Commission	Law	Science & Technology	Social Service	Management	Journalism & Mass Media	Administration & Governance	Others	Total
19.	Tripura	-	-	-	-	-	1 (IAS)	-	1
20.	West Bengal	-	-	-	-	-	1 (IAS)	-	1
	Total	5	-	4	-	11	35	4	59

Table 6: Whether Assets and Liabilities of ICs are Disclosed? (Y or N)

Sl. No.	Information Commission	Status in 2014	Status in 2015	Comments
1.	Central Information Commission	Y	Not updated	Only one IC has disclosed up to 2014. Five ICs and the SCIC have disclosed up to 2013. One newly appointed IC is yet to disclose details.
2.	Andhra Pradesh	N	N	-
3.	Arunachal Pradesh	N	N	-
4.	Assam	N	N	-
5.	Bihar	Only SIC staff has disclosed up to 2012-13	Status remains unchanged	ICs have never disclosed their asset and liabilities
6.	Chhattisgarh	N	N	-
7.	Goa	N	N	-
8.	Gujarat	N	N	-
9.	Haryana	Y	One IC only	One IC's assets up to 2015 are disclosed. The assets of the SCIC and one other IC are disclosed up to 2012. The other ICs have not disclosed their assets.
10.	Himachal Pradesh	N	N	-
11.	Jharkhand	N	N	-
12.	Karnataka	Y	SCIC only (up to 2014)	ICs have not disclosed asset details
13.	Kerala	Y	Not updated	Only one IC has disclosed assets up to 2013. The SCIC's assets are disclosed up to 2011 only. The remaining ICs have not disclosed their assets details
14.	Madhya Pradesh	N	N	Website continues to display asset details of a former SCIC
15.	Maharashtra	N	N	-
16.	Manipur	N	N	-
17.	Meghalaya	N	N	-
18.	Mizoram	N	N	-
19.	Nagaland	N	N	-

Sl. No.	Information Commission	Status in 2014	Status in 2015	Comments
20.	Odisha	N	N	-
21.	Punjab	N	N	-
22.	Rajasthan	N	N	-
23.	Sikkim	N	N	-
24.	Tamil Nadu	N	N	-
25.	Telangana	The SIC has not been constituted yet		
26.	Tripura	N	Y	-
27.	Uttarakhand	Y	Y	Only two ICs have disclosed their assets details for 2011 and one IC has disclosed it as on August 2014.
28.	Uttar Pradesh	N	N	-
29.	West Bengal	N	N	-
30.	Jammu and Kashmir	N	N	-

Table 7: Availability of Annual Reports of Information Commissions on Websites (Y or N)

Sl. No.	Information Commission	2006	2007	2008	2009	2010	2011	2012	2013	2014	Comments
1.	Central Information Commission	Y	Y	Y	Y	Y	Y	Y	Y	Y	Latest Annual Report available is for the year 2013-14
2.	Andhra Pradesh	Y	Y	Y	Y	Y	Y	Y	N	N	-
3.	Arunachal Pradesh	Y	Y	N	N	N	N	N	N	N	-
4.	Assam	N	N	Y	Y	N	N	N	N	N	-
5.	Bihar	Y	Y	Y	Y	Y	Y	Y	N	N	Latest Annual Report available is for the year 2011-12
6.	Chhattisgarh	Y	Y	Y	Y	Y	Y	Y	Y	N	-
7.	Goa	Y	Y	Y	N	N	N	N	N	N	-
8.	Gujarat	Y	Y	Y	Y	Y	Y	Y	Y	Y	Latest Annual Report available is for the year 2013-14
9.	Haryana	Y	N	N	N	N	N	N	N	N	-
10.	Himachal Pradesh	Y	Y	Y	Y	Y	Y	Y	Y	N	Latest Annual Report available is for the year 2012-13
11.	Jharkhand	Y	Y	Y	Y	Y	Y	N	N	N	Combined report for 2007 - 2011
12.	Karnataka	Y	Y	Y	Y	Y	Y	Y	Y	Y	Latest Annual Report available is for the year 2013-14
13.	Kerala	Y	Y	Y	Y	Y	Y	N	N	N	Latest Annual Report available is for the year 2010-11
14.	Madhya Pradesh	N	N	N	N	N	N	N	N	N	-
15.	Maharashtra	Y	Y	Y	Y	Y	Y	Y	Y	Y	-
16.	Manipur	N	N	N	N	N	N	N	N	N	-
17.	Meghalaya	Y	Y	Y	Y	Y	N	Y	Y	N	-
18.	Mizoram	Y	Y	Y	Y	Y	Y	Y	Y	N	Latest Annual Report available is for the year 2012-13

Table 7 (contd.)

Sl. No.	Information Commission	2006	2007	2008	2009	2010	2011	2012	2013	2014	Comments
19.	Nagaland	N	N	Y	Y	Y	Y	Y	Y	Y	Latest Annual Report available is for the year 2013-14
20.	Odisha	Y	Y	Y	Y	Y	Y	Y	Y	N	Latest Annual Report available is for the year 2012-13
21.	Punjab	Y	Y	Y	Y	Y	Y	N	N	N	The Annual Report for the year 2010-11 on 5/4/2015
22.	Rajasthan	Y	Y	Y	Y	Y	Y	Y	Y	Y	Latest Annual Report available is for the year 2013-14
23.	Sikkim	N	N	N	N	N	N	N	Y	N	-
24.	Tamil Nadu	Y	Y	Y	N	N	N	N	N	N	They have uploaded the annual reports for the years 2006, 2007 and 2008 which was not available earlier
25.	Telangana	State Information Commission has not been constituted yet									
26.	Tripura	N	N	N	N	N	N	N	N	N	-
27.	Uttarakhand	Y	Y	Y	Y	Y	Y	N	N	N	Latest Annual Report available is for the year 2010-11
28.	Uttar Pradesh	N	N	N	N	N	N	N	N	N	
29.	West Bengal	Y	Y	Y	Y	N	N	N	N	N	Annual reports for 2006-2009 presented in 2009
30.	Jammu and Kashmir	-	-	-	Y	Y	Y	Y	Y	N	Latest Annual Report available is for the year 2012-13

Table 8: Availability of Pendency Statistics of Information Commissions (Y/N)⁵²

Sl. No.	Information Commission	Case Disposal data		Pendency Status and Comments/Reactions of the IC Staff	
		2014 ⁵³	2015	2014 ⁵⁴	2015
1.	Central Information Commission	Y (was available up to June 2014)	Y (Available up to June 2015)	Y (Disposal and pendency data are maintained IC-wise for every day and month. 21,946 appeals and complaints pending as on 31st May 2014.)	Y 32,776 appeals and 7,568 complaints were pending as of 19 th June, 2015
2.	Andhra Pradesh	Y Available only up to October 2012	N Monthly data available up to 2012 and yearly data up to 2013 on the website.	N Despite calling up on different days SIC staff did not provide the data for 2013.	According to SIC staff 6,245 appeals and 4,335 complaints were pending on 23 June, 2015
3.	Arunachal Pradesh	N	N (Not updated since 2008)	N Despite calling several times the SIC staff did not pick up the telephone	N The Tel. No. does not connect. The Fax No. is located in a shop in Itanagar.
4.	Assam	N	N	N According to data provided telephonically by the SIC staff 1,378 appeals and complaints were pending in December 2013	Email was sent to the SIC Secretary. No response was received until the completion of this report

⁵² Y = availability on the website; N = not available on the website.

⁵³ Status at the time of writing Rapid Study Report 2.0 in July 2014.

⁵⁴ In 2014 many SICs did not provide information about disposal or pendency of appeals and complaints despite receiving telephone calls and emails from the Research team. For a status of the number of appeals and complaints pending before various Information Commissions across the country in 2014 please see: RAAG and Samya-CES, *People's Monitoring of the RTI Regime in India, 2011-13*, page 109- accessible at: <http://www.rti-assessment.com/raag---ces--rti-study-2011-13.html>, accessed on 19 June, 2015.

Table 8 (contd.)

Sl. No.	Information Commission	Case Disposal data		Pendency Status and Comments/Reactions of the IC Staff	
		2014	2015	2014	2015
5.	Bihar	N	N	N After several attempts to contact them, the SIC staff advised the CHRI Team to look up the information on the website	N The staff refused to provide information telephonically and advised the Team to look up the website for the statistics.
6.	Chhattisgarh	N	N (Data provided in the Annual Report)	N The Secretary's staff did not pick up the telephone despite several attempts to contact them.	N The staff advised the Team to check the website.
7.	Goa	N	N	N Despite sending formal requests through email and surface mail, no data was provided	N According to SIC staff 706 appeals and 630 complaints were pending in June 2015
8.	Gujarat	N	N (Data provided in the 2013-14 Annual Report)	N No information was provided despite several attempts	Y 6,158 appeals and complaints were pending as of May 2015
9.	Haryana	Y (Available up to July 2013)	N	N 45 complaints and 1,492 appeals were pending as of December 2013.	N According to SIC staff, 1,347 appeals and 87 complaints were pending in January 2015.
10.	Himachal Pradesh	N	N	N	N According to SIC staff 224 second appeals and 11 complaints were pending.

Table 8 (contd.)

Sl. No.	Information Commission	Case Disposal data		Pendency Status and Comments/Reactions of the IC Staff	
		2014	2015	2014	2015
11.	Jharkhand	N	N	N SIC staff said that the concerned staffer was on maternity leave, so the information could not be provided.	N SIC staff said on the telephone that he is not expected to remember the data, instead the Team should check the website.
12.	Karnataka	Y (Annual return uploaded)	N (Annual Returns not updated since 2013)	N According to SIC staff 12,079 appeals and complaints pending as of December 2013.	SIC staff telephonically informed: 13,263 appeals & 2,108 complaints were pending as of March 2015.
13.	Kerala	Y (Available up to March 2014)	Y (Monthly, yearly and Commissioner-wise data provided)	Y 5,463 appeals and 2,282 complaints pending as of March 2014.	Y 7,449 appeals and 2,472 complaints were pending as of February 2015
14.	Madhya Pradesh	N	N	N SIC staff did not pick up the call despite several attempts. RTI Activist Ajay Dubey estimated that 15,000 appeals and complaints were pending in January 2014.	N
15.	Maharashtra	Y (Available up to April 2014)	Y (Under the link "Monthly views", available till May 2015)	Y 31,116 appeals and 3,042 complaints were pending as of May 2014.	Y 24,147 appeals and 2,766 complaints were pending. As of May 2015.

Table 8 (contd.)

Sl. No.	Information Commission	Case Disposal data		Pendency Status and Comments/Reactions of the IC Staff	
		2014	2015	2014	2015
16.	Manipur	N	N	N SIC staff did not pick up the phone	N SIC staff did not pick up the phone
17.	Meghalaya	Y (Available up to December 2013 only)	Y (Available up to 2014)	N	N According to SIC staff 4 appeals and 6 complaints were pending as of May 2015.
18.	Mizoram	N	N	N Secretary of the SIC sought a formal request for information	N SIC staff said there was no pendency as of June 2015.
19.	Nagaland	N	N	N Despite calling several times the SIC staff did not pick up the telephone	N Asked to check website for the data
20.	Odisha	Y (Available up to 2013)	Y (Available up to December 2014)	N SIC staff advised the CHRI Team to check the website	Y 3,530 appeals and 291 complaints were pending as of 31 December 2014.
21.	Punjab	Y	Y (Available up to May 2015)	Y 1,348 appeals and complaints pending as on April 2014.	N 1,798 appeals and complaints pending as of May 2015.
22.	Rajasthan	Y	N Status not updated since 2012-13	N	N SIC staff said that data is yet to be collected.
23.	Sikkim	N	N	No pendency as of February 2014	SIC staff said there was no pendency as of May 2015.

Table 8 (contd.)

Sl. No.	Information Commission	Case Disposal data		Pendency Status and Comments/ Reactions of the IC Staff	
		2014	2015	2014	2015
25.	Tamil Nadu	N	N	N	N SIC Secretary said that the information was available up to 2008 only. More recent data is still being collected.
26.	Tripura	N	N	SIC staff said there was no pendency as on February 2014	SIC staff said there was no pendency as of May 2015.
27.	Uttarakhand	Y (Available up to May 2014)	Y (Available up to June 2015)	Y	Y 1,107 appeals and 202 complaints pending as of June 2015
28.	Uttar Pradesh	N	N	N SIC staff did not pick up the phone despite several attempts to contact them	N SIC staff reported that the pendency is about 64,000 appeals and complaints
29.	West Bengal	Y (Available up to April 2014)	N	N SIC staff did not pick up the phone despite several attempts to contact them	N The Secretary SIC, said that the information is not readily available
30.	Jammu and Kashmir	Y (Available up to December 2013)	Y (Updated till March 2015)	Y 140 appeals and complaints pending as of February 2014	Y 153 appeals and complaints pending as of April 2015

Table 9: Cause Lists Displayed on Websites of Information Commissions (Y or N)

Sl. No.	Information Commission	2012	2014	2015	Comment
1.	Central Information Commission	Y	Y	Y	-
2.	Andhra Pradesh	Y	Y	Y	Cause List is accessible under the link – “Notices Issued”
3.	Arunachal Pradesh	Y	N	Y	-
4.	Assam	N	N	N	-
5.	Bihar	N	N	N	-
6.	Chhattisgarh	Y	Y	Y	-
7.	Goa	N	N	N	-
8.	Gujarat	N	Y	Y	-
9.	Haryana	Y	Y	N	Cause List not updated since 2014
10.	Himachal Pradesh	N	Y	Y	-
11.	Jharkhand	N	Y	N	Link to Weekly Cause List does not contain any data
12.	Karnataka	Y	Y	Y	-
13.	Kerala	Y	Y	N	Cause list not updated after 2014 for SCIC and two SICs. It has not been updated after 2013 for the 3 rd SIC
14.	Madhya Pradesh	N	N	N	-
15.	Maharashtra	N	Y	Y(?)	Cause List updated for 4 ICs but not updated after January 2014 for SCIC, after April 2014 for one IC and after July 2014 for another IC. No Cause List displayed at all for the IC based at Nashik.
16.	Manipur	N	N	N	-
17.	Meghalaya	N	N	Y	Cause List not updated since February 2015
18.	Mizoram	N	N	N	-
19.	Nagaland	N	Y	Y	Cause List updated up to April 2015
20.	Odisha	Y	Y	N	Cause List for the newly appointed ICs not uploaded yet. Older causes lists of retired ICs is accessible for 2015
21.	Punjab	Y	Y	Y	-
22.	Rajasthan	N	Y	Y	-
23.	Sikkim	N	N	N	-

Table 9 (contd.)

Sl. No.	Information Commission	2012	2014	2015	Comment
24.	Tamil Nadu	Y	Y	Y	Cause List is available up to a month in advance of the date of hearing
25.	Telangana	State Information Commission not constituted yet			
26.	Tripura	N	Y	Y	-
27.	Uttarakhand	Y	Y	Y	Available separately for appeals and complaints (date-wise and bench-wise)
28.	Uttar Pradesh	?	?	?	Fonts must be downloaded to read the Cause List
29.	West Bengal	Y	Y	Y	Accessible under the link- "Hearing date".
30.	Jammu and Kashmir	Y	Y	Y	-

Table 10: Availability of Case Status on Websites of Information Commissions (Y or N)

Sl. No.	Information Commission	Case Status		Comment
		2014	2015	
1.	Central Information Commission	Y	Y	Status can be searched with Appellant's Name, File no. and email id.
2.	Andhra Pradesh	Y	Y	Status can be searched with Name, Address and Registration No.
3.	Arunachal Pradesh	N	N	-
4.	Assam	Y	N	Only decision in a case can be accessed using the appellant/complainant's name
5.	Bihar	Y	N	Option available only for disposed cases (Cumbersome search facility as the list of cases is arranged in chronological order)
6.	Chhattisgarh	Y	Y	Case status search facility is available in Hindi
7.	Goa	N	N	-
8.	Gujarat	Y	Y	Status can be searched only with Case No.
9.	Haryana	N	N	-
10.	Himachal Pradesh	Y	Y	Status can be searched with Appellant's Name and Case No.
11.	Jharkhand	Y	Y	Status can be searched with case type, Appellant's Name, Case No. date of decision and name of the IC
12.	Karnataka	Y	Y	Case status can be searched with the type of case, year, name of either the Appellant or the Respondent, exact name, mobile no. , IPO no. (?)
13.	Kerala	N	N	-
14.	Madhya Pradesh	N	N	Website continues to be dysfunctional
15.	Maharashtra	Y	Y	Status can be searched with name of the Appellant and Order No.
16.	Manipur	N	N	-
17.	Meghalaya	N	N	-
18.	Mizoram	N	N	-
19.	Nagaland	N	N	Status of cases is accessible under the link – "Notices and Decisions"

Table 10 (contd.)

Sl. No.	Information Commission	Case Status		Comment
		2014	2015	
20.	Odisha	Y	Y	Status can be searched case type and registration no.
21.	Punjab	Y	Y	Status can be checked with Case No. and year.
22.	Rajasthan	N	N	-
23.	Sikkim	N	N	-
24.	Tamil Nadu	N	N	-
25.	Telangana	State Information Commission not constituted yet		
26.	Tripura	Y	Y	Status can be checked with Appellant's name and File No. or unique no. or email id.
27.	Uttarakhand	Y	Y	Available only for appeal by entering the date and either of the name of appellant, PIO, hearing date, appeal date or appeal no.
28.	Uttar Pradesh	N	N	-
29.	West Bengal	N	N	-
30.	Jammu and Kashmir	N	N	-

Table 11: Availability of Decisions of Information Commissions on Websites (Y or N)

Sl. No.	Information Commission	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	Comment
1.	Central Information Commission	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Decisions are displayed chronologically (quarterly) and can be accessed IC-wise
2.	Andhra Pradesh	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	-
3.	Arunachal Pradesh	Y	Y	Y	Y	N	N	N	Y	Y	Y	The link for decisions of 2010 is broken
4.	Assam	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Decisions can be viewed year wise, case number wise and using Appellant / Complainant's name
5.	Bihar	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Decisions can be viewed case number-wise, IC-wise, date-wise & petitioner-wise.
6.	Chhattisgarh	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Available up to January 2015
7.	Goa	Y	Y	Y	Y	Y	Y	Y	N	N	N	Decisions availability is shown up to December 2014 but none of the decisions open up.
8.	Gujarat	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Decisions can be searched date-wise and IC-wise
9.	Haryana	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Decisions are available under the tabs for disposal of complaints by clicking on the case no.
10.	Himachal Pradesh	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Decisions can be searched IC-wise, department-wise and date-wise

Table 11 (contd.)

Sl. No.	Information Commission	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	Comment
11.	Jharkhand	N	N	N	N	N	N	N	N	N	N	Despite the existence of a link to decisions, the text is not accessible without keying in the case number and the appellant's name
12.	Karnataka	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Decisions can be accessed appellant-wise, case number-wise and IC-wise.
13.	Kerala	N	N	N	N	Y	Y	Y	Y	Y	N	Decisions arranged SIC-wise
14.	Madhya Pradesh	Y	Y	Y	N	Y	N	N	N	N	N	"Important Judgments" – Link is not updated
15.	Maharashtra	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	-
16.	Manipur	N	Y	N	Y	Y	Y	N	N	N	N	Decisions database has not been updated since 2011
17.	Meghalaya	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Decisions can be accessed by providing case type and date range apart from complainant's name
18.	Mizoram	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	-
19.	Nagaland	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	-
20.	Odisha	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Decisions are arranged chronologically
21.	Punjab	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Decisions are compiled date-wise and IC-wise in separate documents
22.	Rajasthan	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	-
23.	Sikkim	N	N	N	N	N	N	N	N	N	N	-

Table 11 (contd.)

Sl. No.	Information Commission	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	Comment
24.	Tamil Nadu	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	-
25.	Telangana	State Information Commission not constituted yet										
26.	Tripura	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Decisions are displayed chronologically (quarterly) and can be accessed IC-wise
27.	Uttarakhand	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Decisions can be searched by entering the name of Appellant/ Respondent or the date the decision
28.	Uttar Pradesh	N	N	Y	Y	Y	Y	N	N	N	N	Decisions of some ICs available up to 2011 only
29.	West Bengal	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	-
30.	Jammu and Kashmir	-	-	-	-	-	Y	Y	Y	Y	Y	SIC started functioning in 2011 only

Table 12: Availability of Local Language Websites of Information Commissions and Online Appeal and Complaint Filing Facility (Y or N)

Sl. No.	Information Commission	Availability of Local Language Website		Availability of Online Appeal/Complaint Filing Facility	
		2014	2015	2014	2015
1.	Central Information Commission	Y (English and Hindi)	Y (English and Hindi)	Y (both appeals & complaints in English & Hindi)	Y (both appeals & complaints in English & Hindi)
2.	Andhra Pradesh	N (inactive Telugu demo version)	N (demo version remains inactive)	N	N
3.	Arunachal Pradesh	N	N	N	N
4.	Assam	N	N	N	N
5.	Bihar	N	N (Decisions and some tabs are available in Hindi)	Y (second appeal only)	Y (Available for both appeal and complaint. Complaint can be filed under "Helpline")
6.	Chhattisgarh	Y	Y	N	N
7.	Goa	N	N	N	N
8.	Gujarat	Y	Y	Y (both appeals & complaints in English & Gujarati)	Y (Only second appeals can be filed online. The link is misleading as it is named e-application and not second appeal)
9.	Haryana	N	N	N	N
10.	Himachal Pradesh	N	N	N	N
11.	Jharkhand	N	N	N	N
12.	Kerala	N	N	N	N
13.	Madhya Pradesh	Y (sparsely populated)	Y (status unchanged)	N	N

Table 12 (contd.)

Sl. No.	Information Commission	Availability of Local Language Website		Availability of Online Appeal/Complaint Filing Facility	
		2014	2015	2014	2015
14.	Maharashtra	Y (English and Marathi)	Y (English and Marathi)	N ⁵⁵	N (the same issue of link not working persists)
15.	Manipur	N	N	N	N
16.	Meghalaya	N	N	N	N
17.	Mizoram	N	N	N	N
18.	Nagaland	N	N	N	N
19.	Odisha	N	Y (Few tabs in Odiya)	Y (both appeals & complaints)	Y (second appeals & complaints)
20.	Punjab	N	N	N	N
21.	Rajasthan	N (weblink to Hindi site is inactive)	N (the weblink continues to be non-functional)	N	N
22.	Sikkim	N	N	N	N
23.	Tamil Nadu	N	N	N	N
24.	Tripura	N	Y	Y (both appeals & complaints)	Y (both appeals & complaints)
25.	Uttarakhand	N	N	Y	Y
26.	Uttar Pradesh	Y	Y	N	N
27.	West Bengal	N (some tabs available in Bangla)	N (some tabs available in Bangla)	N	N
28.	Jammu and Kashmir	N	N	N	N

⁵⁵ Although a link is provided on the website, it did not open up despite several attempts to access it from several browsers.

Table 13: Whether photographs of the information Commissioners are displayed (Y or N) (NA = not available)

Sl. No.	Information Commission	Whether photograph is displayed
1.	Central Information Commission	Y
2.	Andhra Pradesh	Y
3.	Arunachal Pradesh	Y (CIC only. Links to picture of other ICs are broken)
4.	Assam	Y
5.	Bihar	Y
6.	Chhattisgarh	Y
7.	Goa	NA
8.	Gujarat	Y
9.	Haryana	Y
10.	Himachal Pradesh	Y
11.	Jharkhand	Y
12.	Karnataka	Y
13.	Kerala	Y
14.	Madhya Pradesh	N
15.	Maharashtra	Y
16.	Manipur	N
17.	Meghalaya	N
18.	Mizoram	Y
19.	Nagaland	Y
20.	Odisha	Y
21.	Punjab	N
22.	Rajasthan	Y (CIC Only)
23.	Sikkim	Y (CIC Only)
24.	Tamil Nadu	Y
25.	Telangana	State Information not constituted yet
26.	Tripura	Y
27.	Uttarakhand	Y (photographs of only two ICs displayed)
28.	Uttar Pradesh	Y
29.	West Bengal	Y
30.	Jammu and Kashmir	Y

Table 14: Availability of local language translations of the RTI laws

Sl. No.	Information Commission	Languages / dialects in which the RTI law is available on the official website
1.	RTI Portal (Government of India)	English, Hindi, Assamese, Bangla, Kannada, Malayalam, Marathi, Oriya, Tamil, Telugu, Urdu
2.	Central Information Commission	English, Hindi
3.	Andhra Pradesh	English, Hindi, Urdu, Telugu
4.	Arunachal Pradesh	Link opens to GOI's RTI portal.
5.	Assam	Assamese, English
6.	Bihar	English, Urdu (RTI User Guide only)
7.	Chhattisgarh	English, Hindi
8.	Goa	English only
9.	Gujarat	English, Gujarati
10.	Haryana	English only
11.	Himachal Pradesh	Broken link
12.	Jharkhand	English, Hindi
13.	Karnataka	English, Kannada
14.	Kerala	English, Malayalam
15.	Madhya Pradesh	Not available
16.	Maharashtra	English, Marathi
17.	Manipur	English only
18.	Meghalaya	English, Khasi
19.	Mizoram	English only. User Guide in Mizo.
20.	Nagaland	English, Tenyidie, Ao, Lotha, Sema, Zeliang, Caksesang, Kiamniungan, Rengma, Sangtam, Kachari, Kuki, Yimchungru (along with RTI User Guides)
21.	Odisha	English only
22.	Punjab	English, Punjabi
23.	Rajasthan	English, Hindi
24.	Sikkim	English
25.	Tamil Nadu	English
26.	Telangana	State Information Commission not constituted yet
27.	Tripura	English, Bangla
28.	Uttarakhand	English, Hindi
29.	Uttar Pradesh	English, Hindi (RTI User Guide only)
30.	West Bengal	English
31.	Jammu and Kashmir	English

Table 15: Number of information requests received by Public Authorities and the proportion of rejection at the RTI Application Stage (NA = not available)

Sl. no.	Government / State	Received (No. of RTI applications)		Rejection (at the application stage)		Remarks
		Previous reporting ⁵⁶	Latest figures available	Previous reporting ⁵⁷	Latest figures available	
1.	Central Government	8,11,350 (2012-13)	8,34,183 (2013-14)	7.70% (2012-13)	7.20% (2013-14)	Only 73% of the registered public authorities submitted their RTI application statistics to the CIC
2.	Andhra Pradesh	1,45,583 (2012)	NA	2.53%%	NA	No further Annual Report published after 2012
3.	Bihar	1,29,807 (2011-12)	NA	4.22%	NA	-
4.	Chhattisgarh	48,785 (2012)	61,806 (2013)	3.85% (2012)	3.17% (2013)	4,326 women applicants, 49,533 urban applicants, 12,273 rural applicants, 2,572 BPL applicants, 3,943 SC applicants, 3,447 ST applicants (2013 figures)
5.	Gujarat	1,01,521 (2012-13)	1,72,981 (2013-14)	2.84% (2012-13)	3.32% (2012-13)	-
6.	Himachal Pradesh	72,191 (2011-12)	61,202 (2012-13)	1.16% (2011-12)	2.28% (2012-13)	While 132 public authorities reported their RTI statistics in 2011-12 this number fell to 110 in 2012-13

⁵⁶ This column includes figures which were reported in CHRI's *The Use of Right to Information Laws in India: A Rapid Study*, October, 2013, accessible on CHRI's website at: <http://www.humanrightsinitiative.org/postoftheday/2013/CHRIrapidStudy-RTIUseinIndia-2011-2012-Oct13.pdf> and the figures contained in the Annual Reports of Information Commissions for the latest year during the period 2011-13 published subsequently which were not available at the time of writing that report.

⁵⁷ Ibid.

Table 15 (contd.)

Sl. no.	Government / State	Received (No. of RTI applications)		Rejection (at the application stage)		Remarks
		Previous reporting	Latest figures available	Previous reporting	Latest figures available	
7.	Karnataka	2,93,405 (2012-13)	4,25,475 (2013-14)	0.30% (2012-13)	0.35% (2013-14)	-
8.	Maharashtra	7,51,190 (2013)	7,03,093 (2014)	2.13% (2013)	2.25% (2014)	7,856 BPL applicants (2014 figure)
9.	Meghalaya	1,068 (2012)	1,607 (2013)	0.74% (2012)	1.86% (2013)	-
10.	Mizoram	1,045 (2011-12)	1,316 (2012-13)	0.86% (2011-12)	0.68% (2012-13)	3 BPL applicants
11.	Nagaland	3,042 (2012-13)	4,217 (2013-14)	0.09% (2012-13)	0.38% (2013-14)	107 women applicants 9 BPL applicants
12.	Odisha	52,305 (2011-12)	43,011 (2012-13)	10.24% (2011-12)	7.98% (2012-13)	-
13.	Rajasthan	71,243 (2012-13)	1,40,539 (2013-14)	4.59% (2012-13)	3.69% (2013-14)	-
14.	Sikkim	NA	Data missing (2013)	NA	18 rejections (2013)	The 105-page long report, does not contain the number of RTI applications received across the State
Total		24,82,535	24,49,430	-	-	-
15.	Jammu and Kashmir	12,136 (2011-12)	27,619 (2012-13)	1.37% (2011-12)	1.54% (2012-13)	272 public authorities reported in 2012-13.
Grand Total		24,94,671	24,77,049	-	-	-

Table 16: Top five Ministries/Departments/Public Authorities that received the most number of RTI applications

Sl. no.	Government / State	# Ranking (Proportion of RTI applications received according to the latest available Annual Reports)				
		#1	#2	#3	#4	#5
1.	Central Ministries⁵⁸ (2013-14)	Ministry of Finance (18.05%)	Ministry of Railways ⁵⁹ (11.11%)	Ministry of Home Affairs (6.23%)	Ministry of Human Resource Development (6.21%)	Ministry of Communications & Info. Technology (3.81%)
	Central Public Authorities (2013-14)	Ministry of Railways (10.77%)	Department of Posts (8.17%)	Delhi Police (3.61%)	State Bank of India (3.17%)	Bharat Sanchar Nigam Ltd. (2.84%)
2.	Chhattisgarh (2013)	Dept. of Panchayat & Rural Development (14.85%)	Dept. of Urban Administration & Development (14.05%)	Dept. of Religious Trusts & Endowments (9.88%)	Dept. of Forests (9.77%)	Public Works Dept. (7.63%)
3.	Gujarat (2013-14)	Dept. of Urban Dev. & Urban Housing (24.91%)	Dept. of Revenue (23.13%)	Dept. of Home (17.26%)	Dept. of Energy & Petrochemicals (5.47%)	Dept. of Education (3.22%)
4.	Himachal Pradesh (2012-13)	Dept. of Rural Dev. & Panchayati Raj (10.86%)	Police Dept. (8.94%)	Public Works Dept. (8.60%)	Dept. of Elementary Education (5.83%)	Dept. of Urban Development (2.64%)
5.	Karnataka (2013-14)	Dept. of Revenue (29.41%)	Dept. of Urban Development (18.32%)	Dept. of Rural Dev. & Panchayati Raj (15.66%)	Dept. of Transport (4.98%)	Dept. of Education (4.73%)

⁵⁸ Several Ministries in the Central Government are comprised of multiple departments and attached offices all of which are public authorities in their own right. So we have separately listed the Ministries and Departments that have received the most number of RTI applications and individual public authorities that have received the highest number of RTI applications. Until a few years ago, the CIC was publishing the list of top 10 ministries/departments and public authorities receiving the most number of RTI applications per annum. However this practice has been discontinued without any explanation. The top 5 rankings mentioned above are based on the statistical table appended to the CIC's Annual Report.

⁵⁹ This figure includes RTI applications received by 15 public authorities including the Railways Ministry itself which registered with the CIC. The figure in the next row pertains to RTI applications received by the Ministry of Railways alone.

Table 16 (contd.)

(NA = not available)

Sl. no.	Government / State	# Ranking (Proportion of RTI applications received according to the latest available Annual Reports)				
		#1	#2	#3	#4	#5
6.	Maharashtra (2014)	Dept. of Urban Development (30.58%)	Dept. of Revenue & Forests (22.34%)	Dept. of Rural Development & Water Conservation (7.52%)	Dept. of Industry, Energy & Labour (6.01%)	Dept. of Housing Construction (5.55%)
7.	Meghalaya (2013)	Dept. of Home (9.33%)	Dept. of Forests (7.09%)	Meghalaya Public Service Commission (6.03%)	Deputy Commissioner East Khasi Hills (5.22%)	Dept. of Excise, Regn., Taxation & Stamps (5.16%)
8.	Mizoram (2012-13)	Dte. of Land Revenue & Settlement (9.42%)	Police Dept. (7.75%)	Public Works Dept. (5.77%)	Principal Chief Conservator of Forests (4.10%)	Mizoram Public Service Commission (3.95%)
9.	Nagaland (2013-14)	Dept. of Transport (50.17%)	Dept. of Health and Family Welfare (4.45%)	Dept. of Education (4.05%)	Dept. of Higher & Technical Education (3.98%)	Deputy Commissioner Dimapur (3.93%)
10.	Odisha (2012-13)	Dept. of Revenue & Disaster Mgmt. (28.86%)	Dept. of School & Mass Education (13.99%)	Dept. of Women & Child Development (7.02%)	Dept. of Higher Education (5.07%)	Dept. of Works (4.15%)
11.	Rajasthan (2013-14)	Dept. of Home (28.68%)	Dept. of Education (7.47%)	Jaipur Dev. Authority (7.14%)	Dept. of Energy (6.54%)	Dept. of Transport (3.86%)
12.	Sikkim (2013)	NA	NA	NA	NA	NA
13.	Jammu and Kashmir (2012-13)	Dept. of Revenue (14.88%)	Dept. of School Education (11.23%)	Dept. of Rural Development (9.66%)	Dept. of Home (8.45%)	Dept. of Housing & Urban Development (5.44%)

Table 17: Number of instances where exemptions were invoked to reject RTI applications (reporting year: 2013-14)

Sl. no.	Central RTI Act Exemption clause invoked (Section 8, 9, 11 & 24)	Public authorities under the Central Government	Public authorities under the Government of Karnataka	Public authorities under the Government of Gujarat
1.	8(1)(a) National security and interests	440	73	189
2.	8(1)(b) Court prohibition or contempt of court	217	4	23
3.	8(1)(c) Privileges of Parliament or State Legislatures	123	6	31
4.	8(1)(d) Commercial confidence, trade secrets, intellectual property rights	10,016	151	104
5.	8(1)(e) Fiduciary relationship	7,499	85	138
6.	8(1)(f) Confidential information from foreign government	1,050	21	139
7.	8(1)(g) Endangering life or safety of a person and law enforcement related	1,438	18	130
8.	8(1)(h) Impediment to investigation, arrest or prosecution	2,782	175	110
9.	8(1)(i) Cabinet papers related	810	24	28
10.	8(1)(j) Personal privacy	17,311	503	214
11.	Section 9	447	NA	304
12.	Section 11	1,197	NA	306
13.	24 Intelligence & security organisations	4,866	NA	711
14.	Others	26,673	457	587

These statistics are not available in the Annual Reports of other Information Commissions covered by this study, including that of the J&K State Information Commission established under the J&K RTI Act, 2009 which has similar provisions.

Table 18: Receipt and Disposal of First Appeals⁶⁰

(NA = not available)

Sl. no.	Government Centre/State	Rejection of RTI applications (cases)	Appeals Received (cases)	Information furnished (cases)	Information denied (cases)
1.	Central Government (2013-14)	60,127	94,945	NA	NA
2.	Chhattisgarh (2013)	1,964	9,386	8,646	896
3.	Gujarat (2013-14)	5,748	NA	NA	NA
4.	Himachal Pradesh (2012-13)	1,396	1,232	NA	NA
5.	Karnataka (2013-14)	1,517	28,614	27,079 appeals disposed. Includes appeals pending from 2012-13. Break up of decisions is not available.	
6.	Maharashtra (2014)	15,848	77,678	68,221	7,139
7.	Meghalaya (2013)	30	73	NA	NA
8.	Mizoram (2012-13)	9	2	1	NA
9.	Nagaland (2013-14)	16	228	178 appeals disposed. Break up of decisions is not available.	
10.	Odisha (2012-13)	3,431	1,469	1,405 appeals disposed. Break up of decisions is not available.	
11.	Rajasthan (2013-14)	5,191	12,849	8,795	3,089
12.	Sikkim (2013)	18	19	NA	NA
13.	Jammu and Kashmir (2012-13)	426	1,279	NA	NA

⁶⁰ This table is based on the data publicized in the Annual Reports of the 13 ICs listed below. We have not included data from other ICs as institution and disposal data are not readily available. For example, Uttarakhand SIC publishes first appeal institution data on a daily basis. However the manner of disposal of such cases is not available from this daily log.

Table 19: Appeals and Complaints: Receipts and Disposals in Information Commissions

Sl. no.	Information Commission	2 nd Appeals		Complaints		Total cases Disposed
		Receipts	Disposal	Receipts	Disposal	
1.	Central Information Commission (2013-14)	Appeals & complaints received = 20,438 Appeals & complaints disposed = 20,147 <i>(Only combined data published)</i>				40,585
2.	Chhattisgarh (2013)	2,862	1,996 (921 of 2013 and 1,075 pending from previous years)	834	584 (163 of 2013 and 421 pending from previous years)	2,580
3.	Gujarat (2013-14)	10,601⁶¹	9,396	759	1,753⁶²	11,149
4.	Himachal Pradesh (2012-13)	427 (+112 pending of previous years)	429	693 (+169 pending of previous years)	767	1,196
5.	Karnataka (2013-14)	10,490 (+9,012 pending of previous years)	7,239	2,970 (+2,139 pending of previous years)	3,001	10,240
6.	Maharashtra (2014)	41,645 (+29,344 pending from previous year)	42,384	5,770 (+3,338 pending from previous year)	6,042	48,426
7.	Meghalaya (2013)	13 (4 pending from previous year)	15	28 (4 pending from previous year)	32	47

⁶¹ Annual Report of Gujarat does not mention the pendency data of second appeal and complaints of previous year which would have been carried forward to 2013-14.

⁶² Includes complaints pending from previous years which were disposed in 2013-14.

				year)		
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Table 19 (contd.)

(NA = not available)

Sl. no.	Information Commission	2 nd Appeals		Complaints		Total cases Disposed
		Receipts	Disposal	Receipts	Disposal	
8.	Mizoram (2012-13)	8	8	1	1	9
9.	Nagaland (2013-14)	23	23	7	7	30
10.	Odisha (2012-13)	2,708 (+1,127 pending from previous year)	1,734	2,555 (+5,326 pending from previous year)	5,197	6,931
11.	Rajasthan (2013-14)	5,836	5,418	533	929	6,347
12.	Sikkim (2013)	NA	5	NA	122	127
13.	Jammu and Kashmir (2012-13)	Appeals & complaints received = 741 Appeals & complaints disposed = 902 <i>(Only combined data published)</i>				1,643

Table 20: Penalties (imposed and recovered), Compensation Awarded and Disciplinary Action Recommended
(NA = not available)

Sl. no.	Information Commission	Penalties imposed (Rs.)			Compensation awarded (Rs.)			Disciplinary Action (# cases)
		No. of cases	Amount Imposed	Amount recovered	No. of cases	Amount awarded	Amount actually paid	
1.	Central Information Commission (2013-14)	NA	19,25,000	10,19,628	NIL	0	-	8
2.	Chhattisgarh (2013)	NA	14,34,250	NA	NA	1,48,050	NA	3
3.	Gujarat (2013-14)	26	4,45,000	NA	NIL	0	-	NA
4.	Himachal Pradesh (2012-13)	NA	3,09,200	NA	NA	45,250	NA	NA
5.	Karnataka (2013-14)	NA	1,34,56,500	NA	844	12,12,250	NA	NA
6.	Maharashtra (2014)	412	42,37,000	6,14,500	198	16,28,326	NA	394
7.	Meghalaya (2013)	7	84,500	NA	1	2,000	NA	NA
8.	Mizoram (2012-13)	NIL	0	-	NIL	0	-	NA
9.	Nagaland (2013-14)	3	73,500	NA	NIL	0	-	NA
10.	Odisha (2012-13)	229	32,24,999	NA	NIL	0	-	NA
11.	Rajasthan (2013-14)	NA	80,00,000	19,71,588	NA	2,65,000	86,000	NA
12.	Sikkim (2013)	6	30,250	NA	NA	0	-	NA
13.	Jammu and Kashmir (2012-13)	7	1,44,250	NA	NA	0	-	NA
Total		690+	3,33,64 449	36,05,716+	1,042+	33,00,876	86,000+	405

Table 21: Availability of Budget and Expenditure of the Information Commissions
(Y or N) (NA = not applicable)

Sl. No.	Information Commission	Current Status (2015-16)	Details		Comment
			Budget	Expenditure	
1.	Central Information Commission	N	27,42,50,000 (2014-15)	15,30,85,000 (2013-14)	Details disclosed on the website
2.	Andhra Pradesh	N	5,34,03,000 (2012-13)	NA	Macro figures mentioned in the Annual Report
3.	Arunachal Pradesh	N	-	-	-
4.	Assam	N	1,22,41,000 (2012-13)	-	-
5.	Bihar	N	3,57,00,000 (2012-13)	NA	Only budget estimate disclosed on the website
6.	Chhattisgarh	N	2,51,94,000 (2013)	1,76,91,101 (2013)	Details disclosed on the website
7.	Goa	N	NA	NA	-
8.	Gujarat	N	2,25,00,000 (2013-14)	NA	Budget details mentioned in the Annual Report
9.	Haryana	N	4,11,00,000 (2014-15)	3,80,59,000 (2013-14)	Details disclosed on the website
10.	Himachal Pradesh	Y	1,44,19,000 (2015-16)	NA	Budget details disclosed on the website
11.	Jharkhand	N	NA	NA	-
12.	Karnataka	N	5,92,47,000 (2013-14)	3,79,32,000 (2013-14)	Budget and expenditure figures mentioned in the Annual Report
13.	Kerala	N	4,16,82,000 (2013-14)	2,94,74,000 (2013-14)	Budget details disclosed on the website
14.	Madhya Pradesh	N	NA	NA	-

Table 21 (contd.)

Sl. No.	Information Commission	Current Status (2015-16)	Details		Comment
			Budget	Expenditure	
15.	Maharashtra	N	7,06,79,000 (2013-14)	NA	Budget details disclosed on the website
16.	Manipur	N	NA	NA	-
17.	Meghalaya	N	91,80,000 (2013-14)	58,75,501 (2013-14)	Budget details disclosed on the website
18.	Mizoram	N	2,16,85,000 (2012-13)	1,93,11,000 (2012-13)	Budget details mentioned in the Annual Report
19.	Nagaland	N	NA	NA	-
20.	Odisha	N	2,60,02,000 (2012-13)	2,03,72,572 (2012-13)	Budget details disclosed on the website
21.	Punjab	N	4,11,40,753 (2014-15)	4,11,40,753 (2014-15)	Macro figures disclosed on the website
22.	Rajasthan	N	1,37,24,000 (2013-14)	1,36,20,000 (2013-14)	Budget details disclosed on the website
23.	Sikkim	N	1,52,10,000 (2014-15)	1,08,93,122 (2013)	Macro figures disclosed on the website
24.	Tamil Nadu	N	NA	NA	-
25.	Tripura	N	NA	NA	-
26.	Uttarakhand	N	2,23,02,000 (2013-14)	2,23,02,000 (2013-14)	-
27.	Uttar Pradesh	N	NA	NA	-
28.	West Bengal	N	1,51,63,000 (2013-14)	1,36,86,917 (2013-14)	Budget details disclosed on the website
29.	Jammu and Kashmir	N	2,68,74,000 (2012-13)	2,28,13,000 (2012-13)	Budget and expenditure mentioned in the Annual Report for 2011-12

Table 22: Average cost of disposing appeals and cases at Information Commissions

Sl. no.	Information Commission (reporting year)	Total cases disposed (appeals + complaints)	Annual budget/expenditure (in Rs.)	Average cost per disposed case (in Rs.)
1.	Central Information Commission (2013-14)	40,585	15,30,85,000	3,772
2.	Chhattisgarh (2013)	2,580	1,76,91,101	6,857
3.	Gujarat (2013-14)	11,149	2,25,00,000 (budget)	2,018
4.	Himachal Pradesh (2012-13)	1,196	1,58,71,084⁶³	13,270
5.	Karnataka (2013-14)	10,240	3,79,32,000	3,704
6.	Maharashtra (2013-14)	48,426 (2014)	7,06,79,000⁶⁴ (2013-14)	1,459
7.	Meghalaya (2013)	47	58,75,501	1,25,010
8.	Mizoram (2012-13)	9	1,93,11,000	21,45,666
9.	Nagaland (2013-14)	30	NA	NA
10.	Odisha (2012-13)	6,931	2,03,72,572	2,939
11.	Rajasthan (2013-14)	6,347	1,36,20,000	2,145
12.	Sikkim (2013)	127	1,08,93,122	85,772
13.	Jammu and Kashmir (2012-13)	1,643	2,28,13,000	13,885

⁶³ This figure is taken from the Annual Report of the Himachal Pradesh SIC for the reporting period, whereas Table 21 contains the latest budgetary information displayed on its website.

⁶⁴ This figure is taken from the document containing the proactively disclosed information under Section 4(1)(b) of the Central RTI Act on the SIC's website. Budget details for the year 2014-15 have not been uploaded on the website. The SIC staff informed us telephonically that the latest budget figures have not been prepared yet. So the budgetary figure for 2013-14 is taken for the purpose of this calculation.

CHRI's role in promoting RTI in India and the Commonwealth

CHRI was closely associated with the drafting of the two RTI laws in India at various stages. Within a fortnight of Parliament approving the Central RTI Bill, CHRI organised the first ever national conference to discuss its implementation. Senior representatives of Central and State Governments, civil society, academia and the mass media discussed the ways and means of implementing the RTI Act with experts and Information Commissioners from Mexico, the United Kingdom, Canada, South Africa and Jamaica. The outcome document of the conference served as the basis for several States to strategise their implementation efforts. Later within a span of a few months CHRI resourced State-level implementation conferences in Uttarakhand, Madhya Pradesh, Gujarat, Meghalaya, Mizoram, Nagaland and Tamil Nadu. During the initial years of implementation CHRI worked with officer training institutes at the Central and State level to design and conduct training programmes for public information officers and appellate authorities designated under the Central RTI Act. CHRI has conducted or resourced several workshops all over the country to train representatives of big and small civil society organisations and networks and the mass media to use the Indian RTI laws in public interest. CHRI has worked closely with civil society actors, academia, lawmakers and the State Government of Jammu and Kashmir for the enactment, implementation and use of the J&K RTI Act.

In recent years CHRI has worked with Information Commissions and partner organisations to develop and implement proactive disclosure templates for making development-related information accessible to people through gram panchayats, particularly in the State of Gujarat. CHRI was part of the Government-appointed Task Force that drew up guidelines for implementing the proactive disclosure provisions of the Central RTI Act. The Central Government has issued these guidelines in 2013.

Internationally, CHRI works with governments and civil society for the adoption of RTI laws in Commonwealth countries. CHRI shared its technical knowledge and experience of advocacy with civil society partners in Bangladesh who successfully moved Government and Parliament to enact their own RTI law. Since then CHRI has worked with partners to build civil society capacity to spread awareness about the value and use of RTI at the community level in South Asia and Africa. CHRI has provided technical inputs for strengthening draft RTI legislation in Barbados, Bhutan, Cook Islands, Fiji, Ghana, Kenya, Malawi, Malaysia (provincial RTI Bills) the Maldives, Malta, Pakistan (national and provincial RTI Bills), Rwanda, Sierra Leone, Swaziland, Tanzania and Zambia. CHRI also facilitates learning programmes in India for visiting government and civil society representatives from South Asia and Africa to acquire first-hand knowledge about the efforts being made to embed the regime of transparency in India.

For more information about CHRI's work in India and the Commonwealth please visit: www.humanrightsinitiative.org and www.sartian.org

The Open Society Foundations, the Open Society Justice Initiative and the Friedrich Naumann Stiftung- Für Die Freiheit are currently supporting CHRI's Access to Information Programme.