

New Delhi, 11th October, 2019, 05:00 PM,

State Transparency Report on the eve of RTI Day

- **More than 3,02,08,656 (3.02 Cr) RTI applications (2.25 percent citizens), total appeal 21,32,673 Second Appeals & Complaints.**
- **15, 578 cases** in penalty imposed on public authorities by State Information Commissions (excluding Union Government) during 2005-06 to 2018-19.
- **In last three year, Rs. 81,82,000** (More than 81 Lakh) imposed by Uttarakhand State Information Commission.
- **24 out of 155 posts Information Commissioner (Central/State Level) are vacant**, whereas as per our 2018 report published on 11th Oct, 2018, 48 out 156 posts were vacant.
- **Only 7 Women Information Commissioners in India** which is approximately 4.5% of total sanctioned post.
- **Chattisgarh** is the only state which has published (also available on website) the annual reports from the years 2005 to 2018 however, **Only 9 states out of the 28 states** (excluding J&K, since it is a UT now) have published annual report up to year 2017-18.

The Right to Information Act empowered Indian citizens to seek information from Public Authorities, thus making the Government and its functionaries more accountable and responsible. It's been more than 14 years, still this time period has been proven inadequate to bring about a change in the mindset of the people in Government, create infrastructure for pro-transparency governance, develop new processes and build capacity to deliver information pro-actively. **On 15th Birth Anniversary of Transparency Legislation, we must seek answer for one big question - Is our Right to Information Law serving its purpose?**

The litmus test for implementation of the Right to Information Act is its success at the State level. Transparency International India has conceptualized this exhaustive analysis across the 28 States (J & K is UT now) and the Central Information Commission. Functioning of each State Information Commission has been analyzed along the essential parameters, which bring out the extent to which each State is complying with the provisions of the Right to Information Act, 2005.

No doubt, the RTI act in India is most popular tool for seeking good governance and that spirit must go on. Now in the 15th year of RTI Act's implementation when draconian amendments are being incorporated and challenges are being faced, it is an opportune time to look into the State of RTI implementation in Indian States and check whether the act's implementation has met the intention of the legislation.

This report provides not only structural analysis but also policy review of the Right to Information legislation. Our report concretely focuses on most important sections of the Act – Section 25(2), Section 18 (1) and Section 19(3), Section 20 (1) and Section 25 (1) of the RTI Act, 2005. Along with that,

information and analysis related to post and vacancy, budget, cases of threat and harassment and website of Information Commissions is also analyzed in this report.

“RTI legislation has been utilized to reorient public policy and it has facilitated the healthy working of democracy. It is a tool to make the governance system transparent & accountable and definitely not a weapon against the government.” said Shri S.R. Wadhwa, Chairman, Transparency International India. He continued *“It is high time to stand united to fight & reinvent the network of pro-transparency civil society groups of country to intensify struggle for the Right to Information 2.0.”*

Key Findings of State Transparency Report

1. Total Number of RTI Applications as reported so far:

Total No. of RTI: More than 3,02,08,656 (3.02 Crores)

Whereas according to the STR 2017 the Total RTI Applications received were 2,43,94,951 (2.43 Crores).

- **Top 5 Governments receiving maximum No. of RTI**
Central Information Commission (78, 93, 687),
Maharashtra (61, 80, 069),
Tamil Nadu (26, 91, 396),
Karnataka (22, 78, 082)
Kerala (21, 92, 571)
- **Governments receiving fewer RTI applications among state having >10 million population**
West Bengal (98, 323),
Assam (1, 82, 994)
Madhya Pradesh (1, 84, 112) due to non maintenance of data by SIC.
- **Top 2 Governments among states having <10 million population receiving maximum RTI applications:**
Himachal Pradesh (4, 84, 356)
Tripura (42, 111)
- **Governments among states having <10 million population receiving fewer RTI applications:**
Manipur (4, 374)
Sikkim (5, 120)

2. Total Number of Second Appeals {Section 19 (3)} & Complaints {Section 18 (1)} at Information Commissions (Union & State) during 2005-06 to 2018-19:

Total Second Appeals & Complaints: More than 21,32,673 (21 Lakhs)

- **Top 5 Governments receiving maximum Second Appeals & Complaints**
Tamil Nadu (4, 61, 812) Second Appeals/Complaints/Grievances (Tappals)
Central Government (2, 79, 344),

- **Governments receiving fewer Second Appeals & Complaints among state having >10 million population**
 - Telangana (10, 619),
 - West Bengal (20, 058),
 - Jharkhand (32, 481),
 - Kerala (33, 218)
 - Uttarakhand (41, 861)
- **Top 2 Governments among states having <10 million population receiving maximum Second Appeals & Complaints**
 - Himachal Pradesh (8, 549)
 - Goa (4, 579).
- **Governments among states having <10 million population receiving fewer Second Appeals & Complaints**
 - Mizoram (206)
 - Nagaland (338).

3. Penalty imposed on Public Authorities under Section 20 (1) of the Act

No. of Cases & Amount Imposed

- **15, 578** cases of penalty was imposed by State Information Commissions (excluding Central Information Commission) during 2005-06 to 2018-19.
- **Highest Penalty Imposed in last 3 years**
 - Rs. 81,82,000** (More than 81 Lakh) imposed by Uttarakhand State Information Commission
 - Rs. 49,20,000** (More than 49 Lakh) imposed by Rajasthan State Information Commission
- **Top States where Maximum No. of Cases of Penalty Imposed**
 - Haryana (2, 692), data from 2006-07 to 2018-19
 - Rajasthan (2, 803), data from 2008-09 to 2016-17
 - Uttar Pradesh (1, 438) only two year data (2017/18 & 2018/19) as disclosed by SIC.
 - Uttarakhand (1, 223) data from 2006-07 to 2018-19
 - Andhra Pradesh (1,150) data available from CY 2007 to 2014 as disclosed by SIC.

4. Publication/Availability of Annual Reports of the State Information Commissions:

- **Chattisgarh** is the only state which has published (also available on website) the annual reports from the years 2005 to 2018.
- **Only 9 states out of the 28 states** (excluding J&K, since it is a UT now) have published report till 2017-18.

- **Uttar Pradesh Information Commission** has failed to publish any annual report till date, since inception.
- **Punjab, Tripura & Uttarakhand** (failure of Govt. not SIC as report already tabled in assembly) are states which have not published annual reports for 5 or more years.

5. Post & Vacancy in Central Information Commission/State Information Commission:

- Currently, **24 out of 155 posts** (excluding J&K an UT now and including Central Information Commission) of **Chief Information Commissioner & Information Commissioners are vacant**, whereas as per STR 2018 published on 11th Oct, 2018, 48 out 156 (including J&K) posts were vacant.
- **7 State Information Commissions** have **1 woman information commissioner** each i.e. approximately 4.5% of total sanctioned post.

6. Website Analysis of State Information Commissions:

On analysis of the websites of State Information Commissions on parameters like user friendliness of the portal, online tracking system, availability of annual reports, mobile app and regularity in updating the relevant documents on the respective websites, the following conclusion can be made:

Although all states (except Bihar) have a functional website, the websites are only ritualistic except for states like Central Information Commission, Rajasthan and Gujarat giving basic information and providing no real details about the working of the Information Commissions.

For any further inquiries please contact:

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