

TRANSPARENCY
INTERNATIONAL INDIA

STATE TRANSPARENCY REPORT



*Implementation of the Right to Information Act in the States of India
...Glancing Back and Way Forward*

Transparency International India (TII) is a leading non political, independent, non-governmental anti-corruption organization of India. TII has extensive expertise and understanding of issues of corruption in India.

From villages in rural India to the corridors of power in Delhi, TII gives voice to the victims and witnesses of corruption. We work in constructive manner in the interest of the country together with Union and State governments, like minded civil society organizations, corporate, academia, media and common citizens. The main aim is to reduce corruption, bribery, create deterrence for abuse of power, promote good governance and the rule of law.

We raise awareness about corruption; advocate legal and policy reforms at national and state levels; design practical tools for institutions, individuals and companies wishing to combat corruption; and act as a leading centre of anti-corruption expertise in India.

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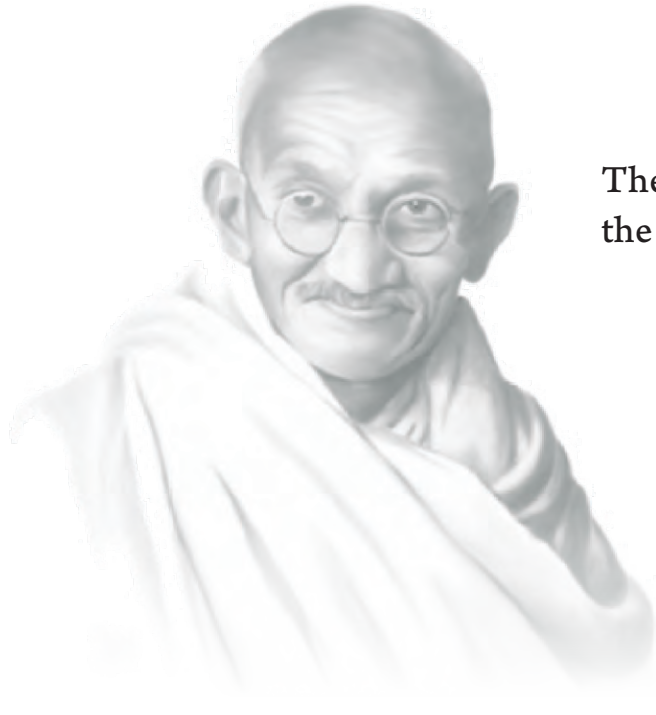
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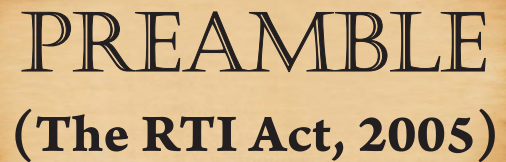
**Scope
of research on the performance of
Information Commissions (ICs) &
other stakeholders**

- *Number of RTI Applications Received/ Disposed/Rejections/Pendency*
- *Number of Second Appeals & Complaints Received/ Disposed/Rejection/Pendency*
- *Number of Penalties Imposed on Public Authorities/Disciplinary Actions*
- *Cases of Threat and Harassment of RTI Activists in States*
- *Analysis of Website of State Information Commission's (SICs)*
- *Analysis of Budget of SICs*
- *Structural overview*
- *Success Stories in the States*



The real Swaraj will come not by the acquisition of authority by a few, but by the acquisition of capacity by all to resist authority when abused.

- MAHATMA GANDHI



PREAMBLE
(The RTI Act, 2005)

“ ... Democracy requires an informed citizenry and transparency of information which are vital to its functioning and also to contain corruption and to hold Government and their instrumentality accountable to the governed”

EXECUTIVE SUMMARY

The Transparency India joins efforts of many other civil society organisations to produce reliable and empirical data on the implementation of the RTI Act in India. We hope this publication, anchored in actual experience will help in identifying the strengths and weaknesses in each of the 28 states (excluding Telangana, though SIC has been constituted but is yet to start functioning) and act as an eye opener in strengthening of the RTI Act.

Final report will portray the status of RTI Act in States by providing ranks taking into account many factors. These factors are intended to reflect how people experience the RTI Act in everyday life. The report forms India's most comprehensive and verified data set, making it one of its kind, relying solely on primary data. The empirical data makes this report a powerful tool that can help measure a State Information Commission's adherence to the RTI Act in respective States, and paves way for informed policy debates, both within and across States. The report will also measure the experiences and perceptions of the general public including RTI activists and experts nationwide.

Month of Accountability: October

In the month of October every year, India commemorates two most important bulwarks against corruption, where Vigilance Awareness Week is being enthusiastically celebrated; RTI Week has not received much attention. Vigilance and access to information, both are equally important to counter culture of non-transparency but unfortunately they have not been able to achieve the required success so far.

- Right to Information Day (World)- September 28
- Right to Information Day (India) - October 12
- Right to Information Week- October 5 - October 12
- Vigilance Awareness Week- October 30- November 4

BACKGROUND

India is the largest democracy with the second largest population in the world and citizen is the central actor of this institution. The success of democracy thrives on free, fair and effective participation of each citizen. This participation becomes meaningful only when they achieve access to relevant information. Access to information is not a privilege, but a right. Hence, it is imperative for all to not only understand the significance of this right, but also to have appropriate information and know-how of the information seeking process for easy access of the same.

Information does not belong to the Government - it belongs to citizens and any information gathered by the Government is for the benefit of public at large.

As per Section 25 (1) of the RTI Act, the Central Information Commission or State Information Commission, as the case may be, shall, as soon as practicable after the end of each year, prepare a report on the implementation of the provisions of this Act during that year and forward a copy thereof to the appropriate Government.

Further, Sub Section (2) & (3) of Section 25 of the Act also makes it mandatory for departments and Commissions to present an overview of the status of implementation of the Act by disclosing (I) Number of officials designated as PIOs and First Appellate Authorities, (II) Number of requests for information received and disposed off by the Departments and the Commission (III) Details of number of appeals received and disposed off by the First Appellate Authorities of the Commission (IV) Amount collected as application fee and miscellaneous fee collected by the Public Information Officers (V) Amount of penalty imposed on Public Information Officers and compensation awarded (if any) and (VI) Analysis of information furnished by departments.

METHODOLOGY

The findings of the report are based on analysis of the replies to the RTI Applications filed by Transparency International India to infer about the compliances under various sections of the Act. Along with this, websites of the respective State Information Commissions were also analysed to get complete picture of the real situation. The process involved, inquiring the information missing on their own portals through personal intervention and tabulating the same along with information from the respective websites. The data were segregated into request received, first appeals, second appeals, complaints, penalty, compensation and threats to RTI applicants to get a vivid picture.

On compiling these, the analysis was done on the basis of the availability of a functional website, user friendly usage of the portal, online tracking system, availability of annual reports and regularity in updating the relevant documents on their respective websites. Additionally, the trends in the number of requests, first appeals, second appeals, complaints, penalties, compensation were also meticulously studied to bring out a clear picture of the state of functioning of respective State Information Commissions. The report also brings out various other interesting elements concerning the same. Each of the 29 Reports showcase a statistical profile by including all the elements discussed above.

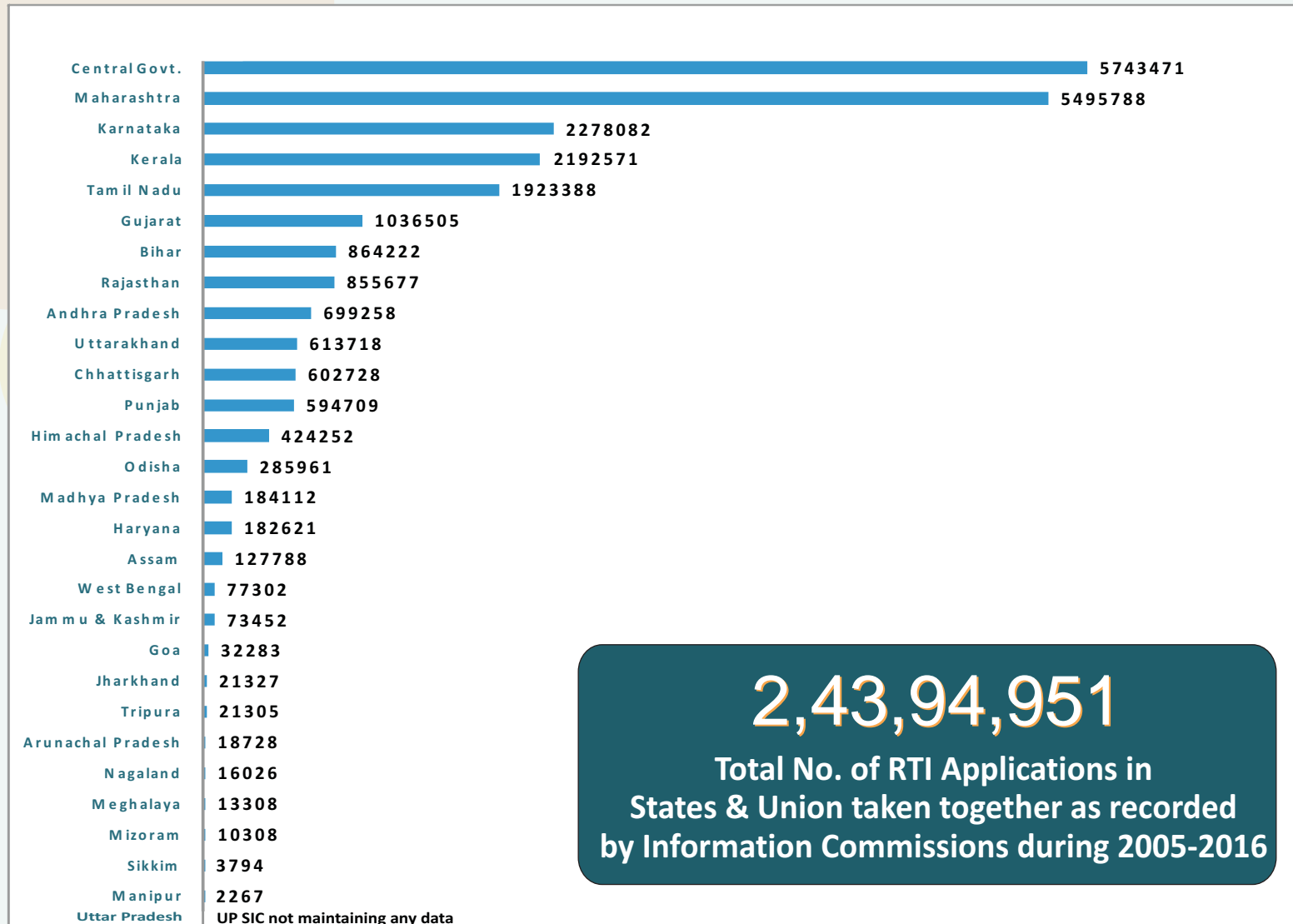
STATE TRANSPARENCY REPORT

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 (Telangana State Information has not yet started functioning) 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.

OUR FOCUS

This report provides a structural analysis and a policy review of the Right to Information legislation. Our report concretely focuses on three most important sections - Section 25(2), Section 19(1) and Section 19(2) of the RTI Act, 2005. It also includes all other important areas like the cases relating to penalties imposed on the authorities, compensation given to the aggrieved, threats given to the whistleblowers (RTI activists) and the number of RTI activists, who lost their lives. All of these parameters supported with relevant data, makes a statistical profile for each State.

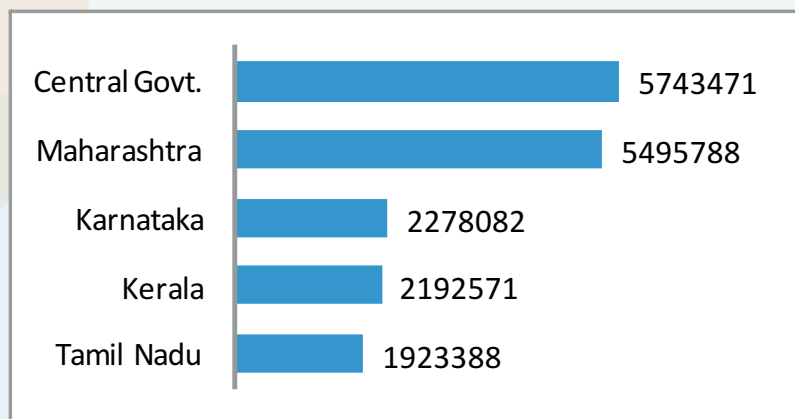
Total RTI Applications Received by all Public Authorities (Union & State) during 2005-2016(FY/CY) as per data available with Commissions under Section 25(2) of the RTI Act.



(*FY- Financial Year; CY- Calendar Year)

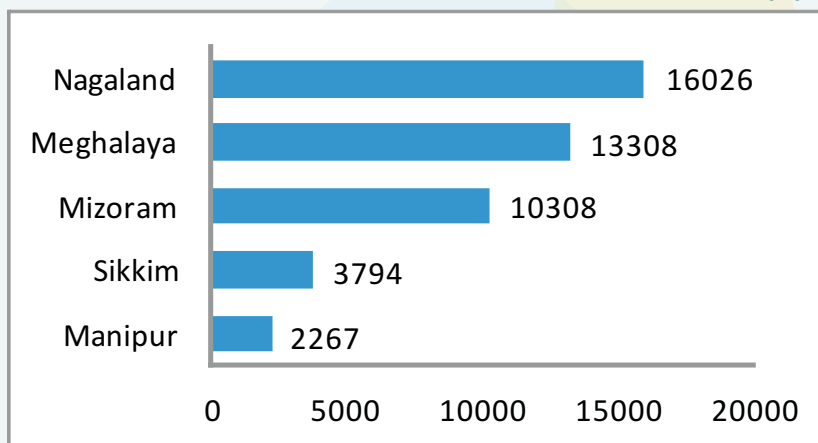
(Source: Annual Reports & RTI reply sent to TII)

Top 5 Govt. (Union & States) Receiving Maximum No. of RTI Applications During 2005-2016(FY/CY)
as per data available with Commissions under Section 25(2) of the RTI Act.



(Source: Annual Reports & RTI reply sent to TII)

5 State Govt. Receiving Least No. of RTI Applications During 2005-2016(FY/CY)
as per data available with Commissions under Section 25(2) of the RTI Act.



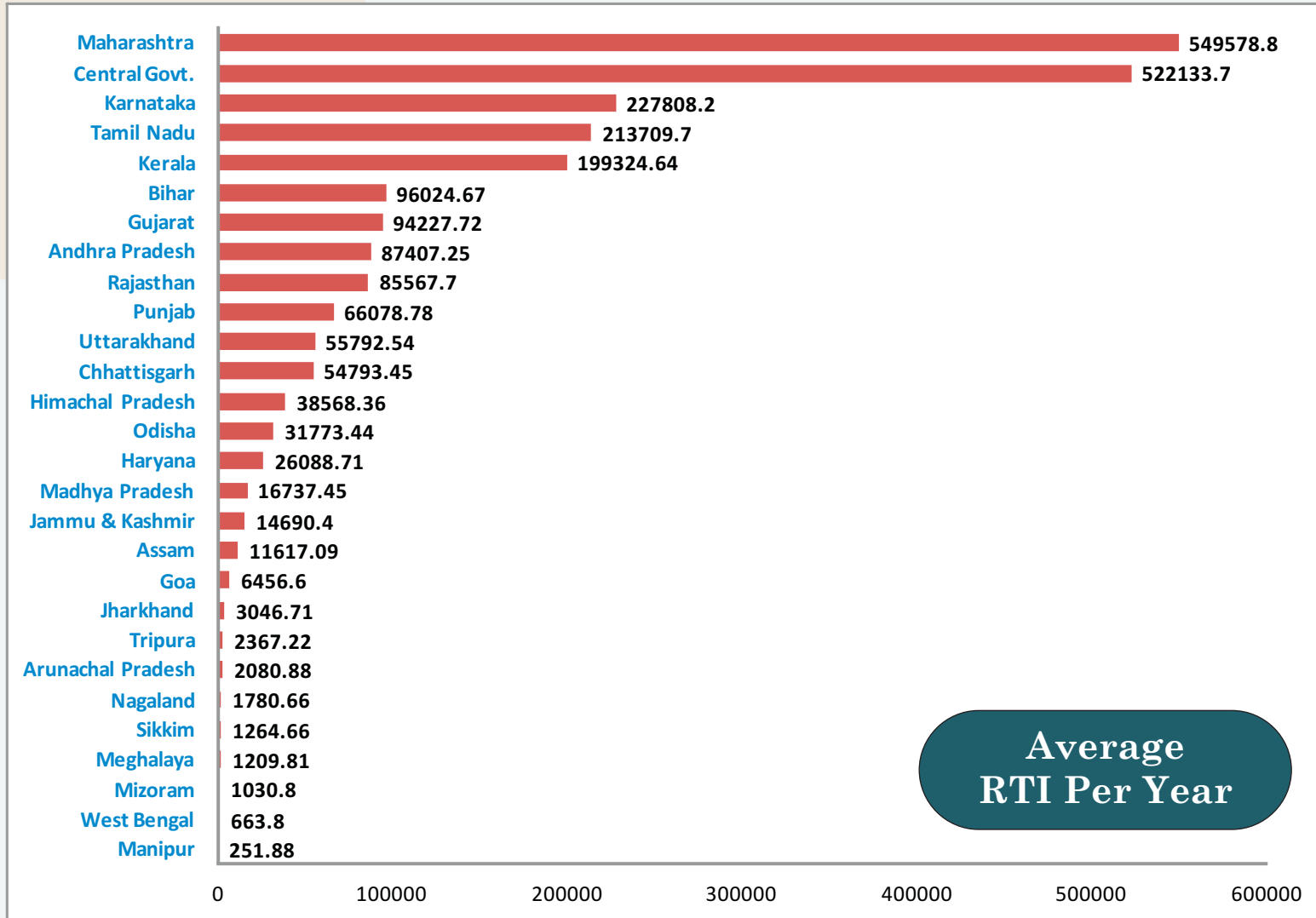
(Source: Annual Reports & RTI reply sent to TII)

Total No. of RTI Applications filed at Union & State level during 2005-2016(FY/CY)
No. of RTI Applications/Annual Average
as per data available with Commissions under Section 25(2) of the RTI Act.

S.No.	State	Number of RTI Applications as Recorded and disclosed by SICs from the year 2005 to 2016.	Data Available For No of Year	Average RTI/ Per Year (A/B=C)
1	2	A	B	C
1	Andhra Pradesh	699258	8	87407.25
2	Arunachal Pradesh	18728	9	2080.88
3	Assam	127788	11	11617.09
4	Bihar	864222	9	96024.67
5	Central Govt.	5743471	11	522133.7
6	Chhattisgarh	602728	11	54793.45
7	Goa	32283	5	6456.6
8	Gujarat	1036505	11	94227.72
9	Haryana	182621	7	26088.71
10	Himachal Pradesh	424252	11	38568.36
11	Jammu & Kashmir	73452	5	14690.4
12	Jharkhand	21327	7	3046.71
13	Karnataka	2278082	10	227808.2
14	Kerala	2192571	11	199324.64
15	Madhya Pradesh	184112	11	16737.45
16	Maharashtra	5495788	10	549578.8
17	Manipur	2267	9	251.88
18	Meghalaya	13308	11	1209.81
19	Mizoram	10308	10	1030.8
20	Nagaland	16026	9	1780.66
21	Odisha	285961	9	31773.44
22	Punjab	594709	9	66078.78
23	Rajasthan	855677	10	85567.7
24	Sikkim	3794	3	1264.66
25	Tamil Nadu	1923388	9	213709.7
26	Tripura	21305	9	2367.22
27	Uttar Pradesh	0	0	0
28	Uttarakhand	613718	11	55792.54
29	West Bengal	77302	11	663.8
	Total	24394951		

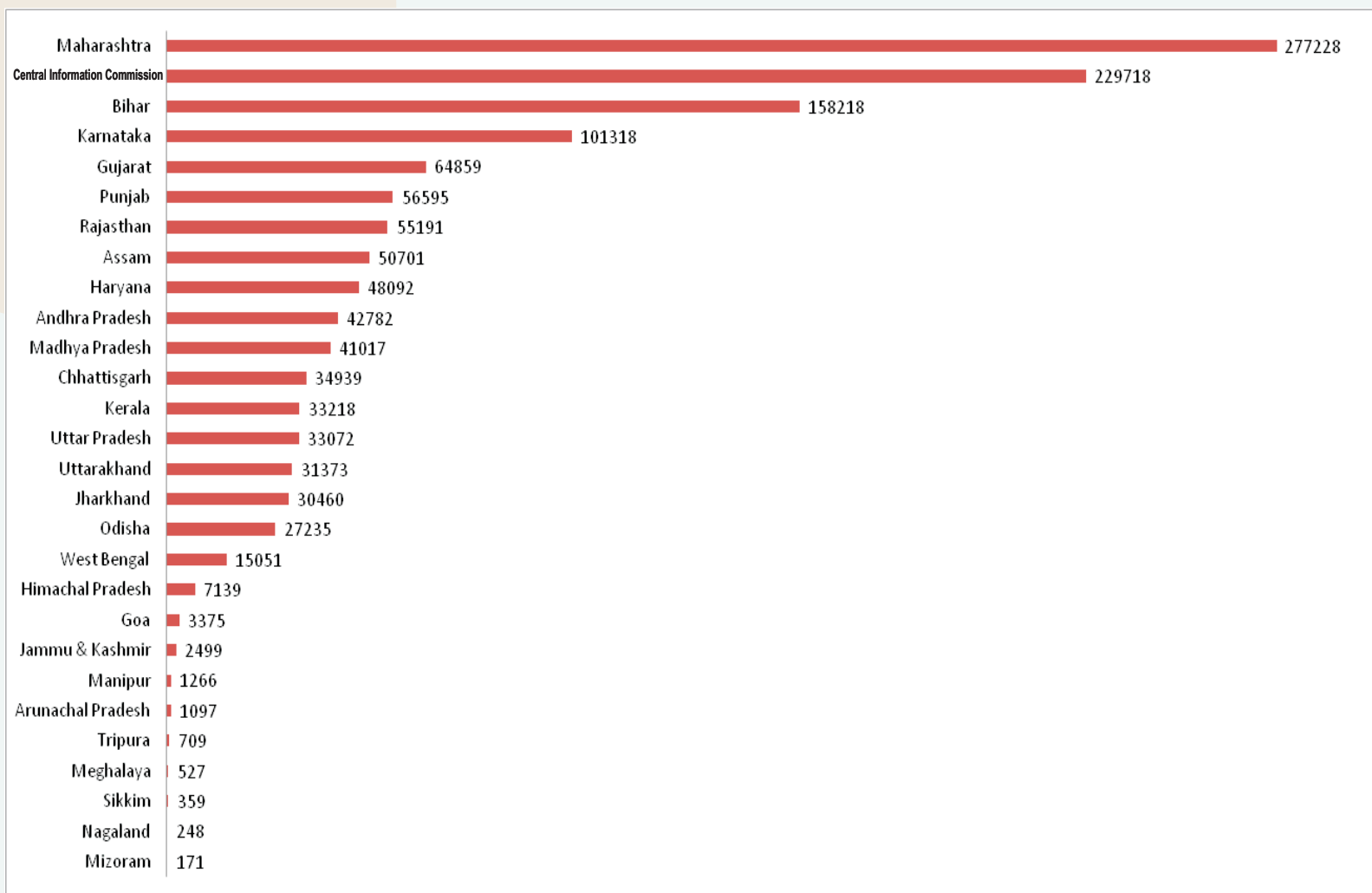
(Source: Annual Reports & RTI reply sent to TII)

No. of RTI Applications filed at Union & State in descending order during 2005-2016(FY/CY)
No. of RTI Applications/Annual Average
 as per data available with commissions under Section 25(2) of the RTI Act.



(Source: Annual Reports & RTI reply sent to TII)

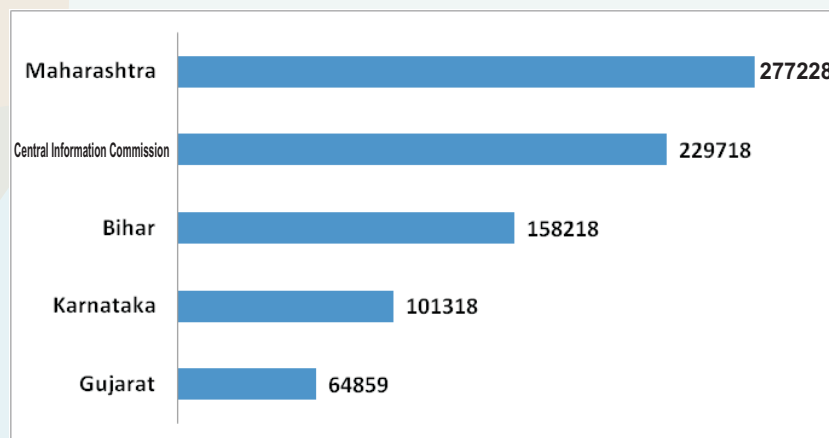
Total Second Appeals & Complaints Received by all Information Commissions (Union & State) during 2005-2016(FY/CY) as per data available with Commissions under Section 19(3) & 18 of the RTI Act.



(Source: Annual Reports & RTI reply sent to TII)

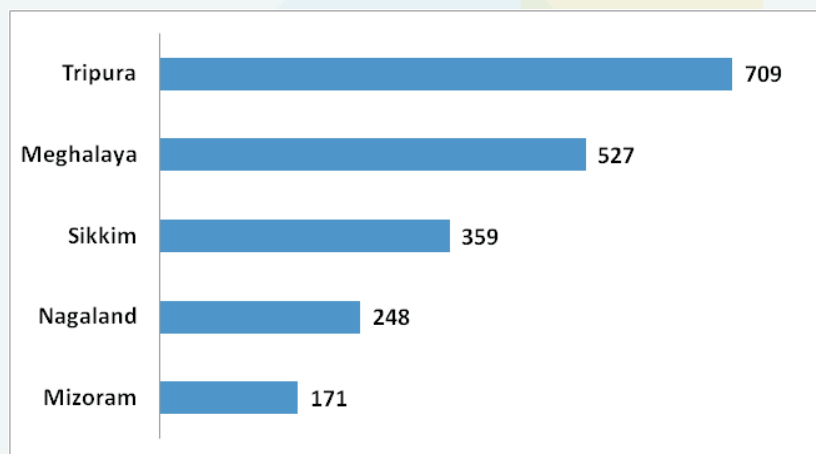
Tappals* - In Tamil Nadu, Total Number of Second Appeals, Complaints and other communication are referred as "Tappals*".
 TN SIC provided this data in reply to our RTI to know total number of Second Appeals and Complaints received so far.

**Top 5 Commissions (CIC & State) Receiving Maximum No. of Second Appeals & Complaints during 2005-2016(FY/CY)
as per data available with commissions under Section 19(3) & 18 of the RTI Act.**



(Source: Annual Reports & RTI reply sent to TII)

**5 SICs Receiving Least No. of Second Appeals & Complaints during 2005-2016(FY/CY)
as per data available with commissions under Section 19(3) & 18 of the RTI Act.**



(Source: Annual Reports & RTI reply sent to TII)

ANNEXURE

Total RTI Applications Received by PIO of different Departments of the State/Union under Section 25(2) of the RTI Act (Financial Year)

S.N.	State Information Commission	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	Total	Remarks
1	Central Govt.	24436	171398	263261	329728	529274	417955	629960	811350	834183	755247	976679	5743471	
2	Assam	3250	3784	4021	4902	1485	15497	15577	17073	19284	16926	25989	127788	
3	Bihar	-	3448	50190	97001	109321	99527	129807	133718	126271	114939	-	864222	
4	Gujarat	8433	76957	94218	70759	70256	72804	55074	101521	172981	161405	152097	1036505	
5	Himachal Pradesh	106	2654	10105	17869	43835	55463	72191	61202	63722	50675	46430	424252	
6	Jammu & Kashmir	-	-	-	-	741	3110	12136	27619	29846	-	-	73452	
7	Karnataka	10014	40092	57804	93112	172847	221716	293405	418863	425475	544754	-	2278082	
8	Kerala	590	26890	109675	120946	158185	177546	227088	250846	373078	373756	373971	2192571	
9	Mizoram	-	476	371	177	695	741	1045	1316	1750	1593	2144	10308	
10	Nagaland	-	46	187	399	590	1105	2206	3042	4217	4234	-	16026	
11	Odisha	447	4618	9772	37997	42036	35649	52305	43011	60126	-	-	285961	
12	Rajasthan	N/M	9140	19846	28790	45610	75577	71243	94257	140539	170809	199866	855677	
13	Tripura	47	235	1088	2012	3940	5123	3801	2302	2757	-	-	21305	
14	Uttar Pradesh	-	-	-	-	-	-	-	-	-	-	-	-	
15	Uttarakhand	1385	9691	15640	23832	27311	37976	69088	87691	114790	122056	104258	613718	
Total													14543338	

(Source: Annual Reports & RTI reply sent to TII)

**Total RTI Application Received by PIO of different Departments of the State
under Section 25(2) of the RTI Act (Calender Year)**

S.N.	State Information Commission	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	Total	Remarks
1	Andhra Pradesh	-	8864 Nov. 15, 2005 to 2006	31964	59664	65973	101453	122133	145583	163624	-	-	-	699258	
2	Arunachal Pradesh	-	-	-	455		327	748	550	312	5591	9141	1604	18728	
3	Chhattisgarh	-	25812	31387	33841	36952	46404	48785	66469	61806	84391	80252	86629	602728	
4	Goa	-	-	3877	5711	-	-	-	-	-	11274	5167	6254	32283	
5	Madhya Pradesh	380	7704	5458	2958	1904	2385	3362	4111	2395	72422	81033	-	184112	Only few departments provided information to MP SIC till 2013
6	Maharashtra	-	123571	316002	416090	440728	548987	645023	682286	751190	703093	868818		5495788	
7	Meghalaya	-	310	537	360	676	836	1074	1289	1625	1816	2653	2132	13308	Year 2016 Data Received from MSIC in response to RTI filed by TII
8	Punjab	-	10056	27256	40397	59168	91033	70901	61519	125059	109320		-	594709	
9	Sikkim	-	-	-	-	-	-	-	-	-	1558	1490	746	3794	
10	Tamil Nadu	-	12269	63912	114721	179441	237517	250042	333010	360995	371481		-	1923388	
11	West Bengal		7253		11919	15470	8053	10361	10512	5767	7967	-	77302		
Total														9645398	

**Total RTI Application Received by PIO of different Departments of the State
under Section 25(2) of the RTI Act (Financial Year & Calender Year)**

S.N.	State Information Commission	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	Total	Remarks
1	Jharkhand	-	-			2611			8901	9815	-	-	21327	
2	Haryana	4985	18112	16858	20757 (2009)	32856 (2010)	54057 (2011)	34996 (2012)	-	-	-	-	182621	
3	Manipur	-	-	171	90	287	104	189	279	419	235	493	2267	
	Total												206215	

(Source: Annual Reports & RTI reply sent to TII)

**Total Number of Second Appeals & Complaints Received by State Information Commission
under Section 19(3) & 18 of the RTI Act (Calender Year)**

S.N.	State Information Commission	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	Total	Remarks
1	Andhra Pradesh	-	1263	2572	4169	5002	5530	4887	7971	11388	-	-	-	42782	
2	Arunachal Pradesh	-	-	63	41	91	149	179	166	135	107	166	-	1097	
3	Chhattisgarh	-	1413	2183	2225	2441	2448	4254	2986	3696	4476	4041	4776	34939	
4	Goa	-	172	240	403	274	908	502	373	333	170	-	-	3375	
5	Madhya Pradesh	76	2185	3126	3199	3924	4455	5399	4932	3375	4720	5626	-	41017	
6	Maharashtra	-	6641	11569	17466	21710	24075	27992	31897	42071	47415	46392	-	277228	
7	Meghalaya	-	17	57	60	84	58	44	51	49	41	66	-	527	
8	Punjab	20	1083	2900	3854	5098	5101	5279	5667	7066	7112	7108	-	56595	
9	Sikkim	-	-	-	-	-	-	-	75	129	37	55	63	359	
10	West Bengal	-	-	494	1101	1215	1705	2027	2373	1990	2061	2085	-	15051	
Total														472970	

**Total Number of Second Appeals & Complaints Received by Information Commission
under Section 19(3) & 18 of the RTI Act (Financial Year)**

S.N.	State Information Commission	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	Total	Remarks
1	Central Govt.	0	6839	11261	15426	22800	28875	33922	28801	20438	35396	25960	229718	
2	Assam	200	460	1278	1290	20360	2001	3351	4084	5403	7040	5234	50701	
3	Bihar	-	586	5730	11330	16598	14902	38963	22043	23184	24882	-	158218	
4	Gujarat	197	2866	3125	4150	3712	4761	5224	12654	11360	8361	8449	64859	
5	Himachal Pradesh	0	84	298	460	715	847	1242	1289	808	678	718	7139	
6	Jammu & Kashmir	-	-	-	-	13	24	974	741	747	-	-	2499	
7	Karnataka	207	4239	4913	5968	13460	14463	13493	15227	13460	15888	-	101318	
8	Kerala	-	903	2322	2704	2812	2777	3823	4243	4971	4651	4012	33218	As per data received from KSIC From Nov 2005 till March 2017 is 36499
9	Mizoram	-	7	14	20	16	20	24	9	21	20	20	171	
10	Nagaland	-	7	5	15	15	21	30	37	30	32	56	248	
11	Odisha	0	1320	2500	2365	3124	4048	3904	5263	4711	-	-	27235	
12	Rajas than	N/M	760	2170	2821	4699	5825	7857	8607	6369	7458	8625	55191	
13	Tripura	59	-	90	90	75	177	-	14	18	81	105	709	
14	Uttarakhand	87	589	1349	1694	1920	3429	5082	4934	4390	4314	3585	31373	
Total													762597	

(Source: Annual Reports & RTI reply sent to TII)

**Total Number of Second Appeals and Complaints at State information Commission
under Section 19(3) & 18 (Financial Year & Calender Year)**

S.N.	State Information Commission	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	Total	Remarks
1	Jharkhand	203	1110	1706	2207	3279	3398	2774	2119	3653	4979	5032	30460	
2	Haryana	321	1260	1605	2631	3010	4440	4565	5575	8069	8572	8045	48092	All data as received from HSIC, 2005-7 & 2006 -314 is included in Year 2005-06
3	Manipur	-	-	96	135	192	222	300	94	-	-	227	1266	
Total													79818	

**Total Number of Second Appeals and Complaints (Tappals as explained Page No. 29) at State information Commission
under Section 19(3) & 18 (Calendar Year)**

S.N.	State Information Commission	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	Total	Remarks
1	Tamil Nadu		8550	35035	41520	52351	53464	54974	60548	60465	47568	15842	10862	452041	Annual Report & RTI Data

**Total Number of Second Appeals and Complaints at State information Commission
under Section 19(3) & 18 (Financial Year)**

S.N.	State Information Commission	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	Total	Remarks	
1	Uttar Pradesh												33072	33072	Annual Report

(Source: Annual Reports & RTI reply sent to TII)



State-Wise Glimpse of State **TRANSPARENCY REPORT**

TII is in the process of releasing State Specific STR (State Transparency Reports) for all the 29 States of India one by one on or before Vigilance Awareness Week (30th October, 2017 to 4th November, 2017). Ranking of States on RTI implementation will also be determined based on their performance as per stipulation of the RTI Act, 2005 vis-à-vis their actual performance.

ANDHRA PRADESH

Andhra Pradesh State Information Commission came into existence on 15th November 2005.

1. **Annual Report (Calendar Year):** Since 2006, Annual Reports are available till 2013. Report for 2014 is prepared but not laid before the Assembly. However, reports for the years 2015 & 2016 are under preparation.
2. **Total Number of RTI Applications before all Public Authorities in Andhra Pradesh:** As per the Annual Reports and RTI replies to TII, Since November 15, 2005 to December 31, 2013, **Total 6, 99,258 (Six Lakh Ninety Nine Thousand Two Hundred Fifty Eight Only)** requests for information were received from all parts of the State seeking information from PIOs of various departments and other authorities.
3. **Total Number of Second Appeals and Complaints received at Andhra Pradesh State Information Commission:** Since November 15, 2005 to December 31, 2013 is **42,782 (Forty Two Thousand Seven Hundred Eighty Two).**

Out of which, 35,652 (Thirty Five Thousand Six Hundred Fifty Two Only) Second Appeals & 7,130 (Seven Thousand One Hundred Thirty Only) Complaints were received as per Section 19 (3) & 18 respectively of the RTI Act.

ARUNACHAL PRADESH

Arunachal Pradesh State Information Commission came into existence on 13th October 2006.

1. **Annual Report (Calendar Year):** Since 2007, Annual Reports are available till 2015.
2. **Total Number of RTI Applications before all the Public Authorities in Arunachal Pradesh:** As per the Annual Reports and RTI replies to TII, Since October 13, 2006 to December 31, 2015, **Total 18,728 (Eighteen Thousand Seven Hundred Twenty Eight Only)** requests for information were received from all parts of the State seeking information from PIOs of various departments and other authorities.
3. **Total Number of Second Appeals and Complaints received at Arunachal Pradesh State Information Commission:** Since October 13, 2006 to December 31, 2015 is **1,097 (One Thousand Ninety Seven Only).**

Out of which, 644 (Six Hundred Forty Four Only) Second Appeals & 453 (Four Hundred Fifty Three) Complaints were received as per Section 19 (3) & 18 respectively of the RTI Act.

ASSAM

Assam State Information Commission came into existence on 1st March 2006.

1. **Annual Report (Financial Year):** Since 2005-2006, Annual Reports are available till 2015- 2016.
2. **Total Number of RTI Applications before all Public Authorities in Assam:** As per the Annual Report and RTI replies to TII, Since March 1, 2006 to March 31, 2013, **Total 1, 27,788 (One Lakh Twenty Seven Thousand Seven Hundred Eighty Eight Only)** requests for information were received from all parts of the State seeking information from PIOs of various departments and other authorities.
3. **Total Number of Second Appeals and Complaints received at Assam State Information Commission:** Since March 1, 2006 to 2016 is **50,701 (Fifty Thousand Seven Hundred One Only)**.

Out of which, 47,076 Second Appeals & 3,625 Complaints were received as per Section 19 (3) & 18 respectively of the RTI Act.

BIHAR

Bihar State Information Commission came into existence on 8th May 2006.

1. **Annual Report (Financial Year):** Since 2006-2007, Annual Reports are available till 2014-2015. Reports of the years 2015-2016 and 2016-2017 are under preparation.
2. **Total Number of RTI Applications before all Public Authorities in Bihar:** As per the Annual Report and RTI replies to TII, since May 8, 2006 to March 31, 2015, **Total 8, 64,222 (Eight Lakh Sixty Four Thousand Two Hundred Twenty Two Only)** requests for information were received from all parts of the State seeking information from PIOs of various departments and other authorities.
3. **Total Number of Second Appeals and Complaints received at Bihar State Information Commission:** Since August 17, 2006 to March 31, 2015, **Total 158218 (One Lakh Fifty Eight Thousand Two Hundred Eighteen Only)** Second Appeals and Complaints were received as per Section 19 (3) & 18 of the RTI Act.

CHHATTISGARH

Chhattisgarh State Information Commission came into existence on 20th October 2005.

1. **Annual Report (Calendar year):** Since 2006, Annual Reports are available till 2016.
2. **Total Number of RTI Applications before all Public Authorities in Chhattisgarh:** As per the Annual Reports and RTI replies to TII, since 20 October, 2005 to December 31, 2016, **Total 6, 02,728 (Six Lakh Two Thousand Seven Hundred Twenty Eight Only)** requests for information were received from all parts of the State seeking information from PIOs of various departments and other authorities.
3. **Total Number of Second Appeals and Complaints received at Chhattisgarh State Information Commission,** since November 7, 2005 to December 31, 2016, is **34,939 (Thirty Four Thousand Nine Hundred Thirty Nine Only).**

Out of which, **24,742 (Twenty Four Thousand Seven Hundred Forty Two Only)** Second Appeals and **10,197 (Ten Thousand One Hundred Ninety Seven Only)** Complaints were received as per Section 19 (3) & 18 respectively of the RTI Act.

GOA

Goa State Information Commission came into existence on 2nd March 2006.

1. **Annual Report (Calendar Year):** Since 2005, Annual Reports are available till 2016.
2. **Total Number of RTI Applications before all Public Authorities in Goa:** As per the Annual Reports and RTI replies to TII, since March 2, 2006 to December 31, 2016, **Total 32,283 (Thirty Two Thousand Two Hundred and Eighty Three Only)** requests for information were received from all parts of the State seeking information from PIOs of various departments and other authorities.
3. **Total Number of Second Appeals and Complaints received at Goa State Information Commission,** since March 21, 2006 to December 31, 2016, is **3375 (Three Thousand Three Hundred Seventy Five Only).**

Out of which, **1825 (One Thousand Eight Hundred Twenty Five Only)** Second Appeals and **1550 (One thousand Five Hundred and Fifty Only)** Complaints were received as per Section 19 (3) & 18 respectively of the RTI Act.

GUJARAT

Gujarat State Information Commission came into existence on 5th October 2005.

1. **Annual Report (Financial Year):** Since 2005-2006, Annual Reports are available till 2015-2016. Report of the Year 2016-17 is under preparation.
2. **Total Number of RTI Applications before all Public Authorities in Gujarat:** As per the Annual Reports and RTI replies to TII, since October 5, 2005 to March 31, 2016, **Total 10, 36,505 (Ten Lakh Thirty Six Thousand Five Hundred and Five only)** requests for information were received from all parts of the State seeking information from PIOs of various departments and other authorities.
3. **Total Number of Second Appeals and Complaints received at Gujarat State Information Commission** Since, October 11, 2005 to March 31, 2016, is **64,859 (Sixty Four Thousand Eight Hundred Fifty Nine Only).**

Out of which, **54,064 (Fifty four Thousand sixty four only)** are **Second Appeals** and **10,795 (Ten Thousand Seven Hundred and Ninety Five only) Complaints** were received as per Section 19 (3) & 18 respectively of the RTI Act.

HARYANA

Haryana State Information Commission came into existence on 31st October, 2005 & Started functioning on 1st November, 2005

1. **Annual Report (From November, 2005 till 31st October, 2007 in financial year and after that changed to Calendar Year):** Since 2006, Annual Reports are available till 2012. Reports for the Year 2013 to 2015 prepared but not laid before the Assembly. Report of the Year 2016 is under preparation.
2. **Total Number of RTI Applications before all Public Authorities in Haryana:** As per the Annual Report and RTI replies to TII, Since November 1, 2005 to December 31, 2012, **Total 1, 82,621 (One Lakh Eighty Two Thousand & Six Hundred Twenty One Only)** requests for information were received from all parts of the State seeking information from PIOs of various departments and other authorities.
3. **Total Number of Second Appeals and Complaints received at Haryana State Information Commission:** Since November 1, 2005 to 31st August, 2017, **Total 54,554 (Fifty Four Thousand and Five Hundred Fifty Four Only)**

Out of which, 50,202 are Second Appeals and 4,352 are Complaints received as per Section 19 (3) & 18 respectively of the RTI Act.

HIMACHAL PRADESH

Himachal Pradesh State Information Commission came into existence on 4th February 2006.

1. **Annual Report (Financial Year):** Annual Reports are available from 2005-06 till 2015-16. Report for the Financial Year 2016-17 is under preparation.
2. **Total Number of RTI Applications before all Public Authorities in Himachal Pradesh:** As per the Annual Report and RTI replies to TII, since February 4, 2006 to March 31, 2016, **Total 4,24,252 (Four Lakh Twenty-Four Thousand Two Hundred Fifty-Two Only)** requests for information were received from all parts of the State seeking information from PIOs of various departments and other authorities.
3. **Total Number of Second Appeals and Complaints received at Himachal Pradesh State Information Commission:** Since 4 February, 2006 to 31 March 2016 is **7,139 (Seven Thousand One Hundred Thirty Nine Only)**

Out of which, 3,781 are Second Appeals and 3358 were Complaints as per Section 19 (3) & Section 18 respectively of the RTI Act.

JAMMU AND KASHMIR

Jammu and Kashmir State Information Commission came into existence in 28th February 2011, under Jammu and Kashmir State Right to Information Act, 2009.

1. **Annual Report (Financial Year):** Annual Reports are available from 2009-10 till 2013-14. Reports for the Financial Year 2014-15, 2015-16 and 2016-17 are not available.
2. **Total Number of RTI Applications before all Public Authorities in Jammu and Kashmir:** As per the Annual Reports and RTI replies to TII, since 2009-10 to 31 March 2014, **Total 73,452 (Seventy Three Thousand Four Hundred Fifty Two Only)** requests for information were received from all parts of the State seeking information from PIOs of various departments and other authorities.
3. **Total Number of Second Appeals and Complaints received at Jammu and Kashmir State Information Commission:** Since March 2011 to March 31, 2014, **Total of 2,499 (Two Thousand Four Hundred Ninety Nine Only)** Second Appeals and Complaints were received as per Section 19 (3) & Section 18 respectively of the RTI Act.

JHARKHAND

Jharkhand State Information Commission came into existence on 24th July 2006.

1. **Annual Report (Financial/Calendar Year):** Annual Reports are available from 2005-06 till 2012. Report for other Financial Years are either under preparation or yet to be presented before the State Assembly.
2. **Total Number of RTI Applications before all Public Authorities in Jharkhand:** As per the RTI replies to TII, since July 24 2006 to March 31, 2014, **Total 21,327 (Twenty-One Thousand Three Hundred and Twenty Seventy Only)** requests for information were received from all parts of the State seeking information from PIOs of various departments and other authorities.
3. **Total Number of Second Appeals and Complaints received at Jharkhand State Information Commission:** Since 24 July, 2006 to 31 March 2016, **Total of 30,460 (Thirty Thousand Four Hundred and Sixty Only)** Second Appeals and Complaints as per Section 19 (3) & Section 18 in the SIC were received.

Out of these 28,995 (Twenty Eight Thousand Nine Hundred and Ninety Five Only) were second appeals and 1,465 (One Thousand Four Hundred and Sixty Five Only) were the complaints.

KARNATAKA

Karnataka State Information Commission came into existence on 30th July 2005.

1. **Annual Report (Financial Year):** Annual Reports are available from 2005-06 till 2014-15. Report for the Financial Year 2015-16 is not available.
2. **Total Number of RTI Applications before all Public Authorities in Karnataka:** As per the Annual Report and RTI replies to TII, since July 30, 2005 to March 31, 2015, **Total of 22, 78,082 (Twenty Two Lakhs Seventy Eight Thousand Eighty Two Only)** requests for information were received from all parts of the State seeking information from PIOs of various departments and other authorities.
3. **Total Number of Second Appeals and Complaints received at Karnataka State Information Commission:** Since 30 July, 2005 to 31 March 2015, **Total of 1,01,318 (One Lakh One Thousand Three Hundred Eighteen Only)** Second Appeals and Complaints as per Section 19 (3) & Section 18 in the SIC were received.

Out of these 39,064 (Thirty Nine Thousand and Sixty Four Only) were second appeals and 62, 254 (Sixty Two Thousand Two Hundred Fifty Four Only) were the complaints.

KERALA

KERALA State Information Commission came into existence on 19th December 2005

1. **Annual Report (Financial Year):** Annual Reports are available from 2006-07 till 2010-11. Reports for the Financial Year 2011-12, 2012-13, 2013-14, 2014-15, 2015-16 and 2016-17 are not available.
2. **Total Number of RTI Applications before all Public Authorities in Kerala:** As per the Annual Reports and RTI replies to TII, since December 19, 2005 to March 31, 2016, **Total of 21, 92,571 (Twenty One Lakhs Ninety Two Thousand Five Hundred Seventy One Only)** requests for information were received from all parts of the State seeking information from PIOs of various departments and other authorities.
3. **Total Number of Second Appeals and Complaints received at Kerala State Information Commission:** Since December 19, 2005 to 31 March 2016, **Total of 33,218 (Thirty Three Thousand Two Hundred and Eighteen Only)** Second Appeals and Complaints as per Section 19 (3) & Section 18 in the SIC were received.

Out of these 20,585 (Twenty Thousand Five Hundred and Eighty Five Only) were second appeals and 12,633 (Twelve Thousand Six Hundred and Thirty Three Only) were the complaints.

MADHYA PRADESH

Madhya Pradesh State Information Commission came into existence on 22nd August 2005. SCIC took charge on 14th October 2005.

1. **Annual Report (Calendar Year):** Since 2008, Annual Reports are available till 2013, report of the Year 2014, 2015 & 2016 are under preparation.
2. **Total Number of RTI Applications before all Public Authorities in Madhya Pradesh:** As per the RTI replies to TII, Since August 22, 2005 to December 31, 2015, **Total 1, 84,112 (One Lakh Eighty Four Thousand One Hundred Twelve Only)** requests for information were received from all parts of the State seeking information from PIOs of various departments and other authorities.
3. Data sent by MP SIC suggests that from 2005 till 2015 only on an average 9.7 Departments shared details of No. of RTI received with M.P State Information Commission. In year 2014 & 2015, **Total Number of RTI Applications before all Public Authorities was 1,53,455 (One Lakh Fifty Three Thousand Four Hundred Fifty Five Only) from 44 and 48 public authorities respectively.**

Total Number of Second Appeals and Complaints received at Madhya Pradesh State Information Commission: Since October 14, 2005 to December 31, 2015, **Total 41,017 (Forty One Thousand Seventeen Only)** Second Appeals and Complaints were received as per Section 19 (3) & 18 of the RTI Act in the SIC.

Out of which, 32,639 Second Appeals and 8,378 Complaints were received as per Section 19 (3) and Section 18 respectively of the RTI Act.

MAHARASHTRA

Maharashtra State Information Commission came into existence on 07th October 2005

1. **Annual Report (Calendar Year):** Since 2006, Annual Reports are available till 2015. Report for the year 2016 is under preparation.
2. **Total Number of RTI Applications before all Public Authorities in Maharashtra:** As per the Annual Reports and RTI replies to TII, Since October 07, 2005 to December 31, 2015, **Total 54, 95,788 (Fifty Four Lakh Ninety Five Thousand Seven Hundred Eighty Eight Only)** requests for information were received from all parts of the State seeking information from PIOs of various departments and other authorities.
3. **Total Number of Second Appeals and Complaints received at Maharashtra State Information Commission:** Since October 12, 2005 to December 31, 2015, Total **2,53,153 (Two Lakh Fifty Three Thousand One Hundred Fifty Three Only)** Second Appeals and Complaints were received. Out of which, 2, 16,091 Second Appeals and 37,062 Complaints were received as per Section 19 (3) and Section 18 respectively of the RTI Act.

MANIPUR

Manipur State Information Commission came into existence on 12th September 2006.

1. **Annual Report (Calendar/Financial Year):** Since 2007-2008, Annual Reports of 2007 & 2008 are available in calendar year format. Later reports are available in Financial Year format for the year 2015-16. Report for the Year 2016-17 is under preparation.
2. **Total Number of RTI Applications before all Public Authorities in Manipur:** As per the Annual Reports and RTI replies to TII, From September 12, 2006 to March 31, 2017. **Total 2,267 (Two Thousand Two Hundred Sixty Seven Only)** requests for information were received from all parts State seeking information from PIOs of various departments and other authorities. of the
3. **Total Number of Second Appeals and Complaints received at Manipur State Information Commission:** From September 12, 2006 to March 31, 2016 Total **1,266 (One Thousand Two Hundred Sixty Six Only)** Second Appeals & Complaints were received.
Out of which, 384 Second Appeals & 882 Complaints as per Section 19 (3) & 18 respectively of the RTI Act.

MEGHALAYA

Meghalaya State Information Commission came into existence on 07th October 2005

1. **Annual Report (Calendar Year):** Since 2006, Annual Reports are available till 2015. Report for the Year 2016 is under preparation.
2. **Total Number of RTI Applications before all Public Authorities in Meghalaya:** As per the Annual Reports and RTI replies to TII, since January 01, 2006 to December 31, 2016, **Total 13,308 (Thirteen Thousand Three Hundred Eight Only)** requests for information were received from all parts of the State seeking information from PIOs of various departments and other authorities.
3. **Total Number of Second Appeals and Complaints received at Meghalaya State Information Commission:** Since February 20, 2006 to 2015, **Total 527 (Five Hundred Twenty Seven Only)** Second Appeals and Complaints were received.

Out of which, 168 Second Appeals and 359 Complaints were received as per Section 19 (3) and Section 18 respectively of the RTI Act.

MIZORAM

Mizoram State Information Commission came into existence on 29th June 2006

1. **Annual Report (Financial Year):** Since 2006-07, Annual Reports are available till 2015-16.
2. **Total Number of RTI Applications before all Public Authorities in Mizoram:** As per the Annual Reports and RTI replies to TII, Since June 29, 2006 to March 31, 2016, **Total 10,308 (Ten Thousand Three Hundred Eight Only)** requests for information were received from all parts of the State seeking information from PIOs of various departments and other authorities.
3. **Total Number of Second Appeals and Complaints received at Mizoram State Information Commission:** Since July 3, 2006 to March 31, 2016, **Total 171 (One Hundred Seventy One Only)** Second Appeals and Complaints were received.

Out of which, 56 Second Appeals and 115 Complaints were received as per Section 19 (3) and Section 18 respectively of the RTI Act.

NAGALAND

Nagaland State Information Commission came into existence on 14th March 2006

1. **Annual Report (Financial Year):** Since 2007-08, Annual Reports are available till 2014-15. Report for the Year 2015-16 is under preparation.
2. **Total Number of RTI Applications before all Public Authorities in Nagaland:** As per the Annual Reports and RTI replies to TII, Since March 14, 2006 to March 31, 2015, **Total 16,026 (Sixteen Thousand Twenty Six Only)** requests for information were received from all parts of the State seeking information from PIOs of various departments and other authorities.
3. **Total Number of Second Appeals and Complaints received at Nagaland State Information Commission:** Since March 14, 2006 to March 31, 2015-16, Total **248 (Two Hundred Forty Eight Only)** Second Appeals and Complaints were received.

Out of which, 161 Second Appeals and 87 Complaints were received as per Section 19 (3) and Section 18 respectively of the RTI Act.

ODISHA

Odisha State Information Commission came into existence on 29th October 2005.

1. **Annual Report (Financial Year):** Since 2005-2006, Annual Reports are available till 2012-2013. Reports for the years 2014-15 and 2015-16 are under preparation.
2. **Total Number of RTI Applications before all Public Authorities in Odisha:** As per the Annual Reports and RTI replies to TII, Since October 29, 2005 to March 31, 2014, **Total 2, 85,961 (Two Lakh Eighty Five Thousand Nine Hundred and Sixty One only)** requests for information were received from all parts of the State seeking information from PIOs of various departments and other authorities.
3. **Total Number of Second Appeals and Complaints received at Odisha State Information Commission:** Since November 20, 2005 to March 31, 2016, is **27,235 (Twenty Seven Thousand Two Hundred and Thirty Five Only)** were received.

Out of which, 8,589 Second Appeals and 18,646 Complaints were received as per Section 19 (3) and Section 18 respectively of the RTI Act.

PUNJAB

Punjab State Information Commission came into existence on 11th October, 2005.

1. **Annual Report (Calendar Year):** Since 2006, Annual Reports are available till 2012.
2. **Total Number of RTI Applications before all Public Authorities in Punjab :**As per the Annual Reports and RTI replies to TII , Since October 11, 2005 to 2014, **Total 5,94,709 (Five Lakh Ninety Four Thousand Seven Hundred Nine Only)** requests for information were received from all parts of the State seeking information from PIOs of various departments and other authorities.
3. **Total Number of Second Appeals and Complaints received at Punjab State Information Commission:** Since October 18, 2005 to 2016, **Total 56,595 (Fifty Six Thousand Five Hundred Ninety Five Only)** Second Appeals and Complaints as per Section 19 (3) & 18 respectively of the RTI Act.

RAJASTHAN

Rajasthan State Information Commission came into existence on 13th April 2006.

1. **Annual Report (Financial Year):** Since 2006-2007, Annual Reports are available till 2015-16. Report for the Year 2016-17 is under preparation.
2. **Total Number of RTI Applications before all Public Authorities in Rajasthan:** As per the Annual Reports and RTI replies to TII, Since **13 April 2006** to March 31, 2016, **Total 8, 55,677 (Eight Lakh Fifty Five Thousand Six Hundred Seventy Seven Only)** requests for information were received from all parts of the State seeking information from PIOs of various departments and other authorities.
3. **Number of Second Appeals and Complaints received at Rajasthan State Information Commission:** Since **18 April 2006** to March 31, 2016, **Total 55,191 (Fifty Five Thousand One Hundred Ninety One Only)** Second Appeals and Complaints were received.

Out of which, 50,187 Second Appeals and 5,004 Complaints were received as per Section 19 (3) and Section 18 respectively of the RTI Act.

SIKKIM

Sikkim State Information Commission came into existence in the Year 2006.

1. **Annual Report (Calendar Year):** Annual Reports are available from year 2013 to 2015 only.
2. **Total Number of RTI Applications before all Public Authorities in Sikkim:** As per the Annual Reports and RTI replies to TII, from January, 2014 to December 2016, **Total 3,794 (Three Thousand Seven Hundred Ninety Four Only)** requests for information were received from all parts of the State seeking information from PIOs of various departments and other authorities.
3. **Total Number of Second Appeals and Complaints received at Sikkim State Information Commission:** Since January 2012 to December 2016, **Total 359 (Three Hundred Fifty Nine Only)** Second Appeals and Complaints were received.

Out of which, 143 Second Appeals and 216 Complaints were received as per Section 19 (3) and Section 18 respectively of the RTI Act.

TAMIL NADU

Tamil Nadu State Information Commission came into existence on 07th October 2005

1. **Annual Report (Calendar Year):** Since 2006, Annual Reports are available till 2014
2. **Total Number of RTI Applications before all Public Authorities in Tamil Nadu:** As per the Annual Report and RTI replies to TII, Since **07 October 2005** to December 2014, **Total of 19, 23,388 (Nineteen Lakh Twenty Three Thousand Three Hundred Eighty Eight Only)** requests for information were received from all parts of the State seeking information from PIOs of various departments and other authorities.
3. **Total Number of Second Appeals, Complaints and other communication are covered in "Tappals". Total No. of Tappals received at Tamil Nadu State Information Commission:** Since 28 January 2006 to December 31, 2016, Total of **4,41,179 (Four Lakh Forty one Thousand One Hundred Seventy Nine only)** Second Appeals and Complaints/Tappals as per Section 19 (3) & 18 respectively of the RTI Act. Please note TN SIC provided this data on our query to know total number of Second Appeals and Complaints. Issue is dealt in depth in TN State Transparency Report.

TRIPURA

Tripura State Information Commission came into existence on 19th January 2006.

The Tripura Right to Information Rules was formulated in 2006. Subsequently, it was revised and the Rules came into force with effect from 4th February, 2008.

1. **Annual Report (Financial Year):** Since 2005-2006, Annual Reports are available till 2013- 2014. For the year 2014-15, report is prepared but not laid before the Assembly. Report for the Year 2015-16 is under preparation.
2. **Total Number of RTI Applications before all Public Authorities in Tripura :**As per the Annual Report and RTI replies to TII , Since January 19, 2006 to March 31, 2014, **Total 21,305 (Twenty One Thousand & Three Hundred Five Only)** requests for information were received from all parts of the State seeking information from PIOs of various departments and other authorities.
3. **Total Number of Second Appeals and Complaints received at Tripura State Information Commission:** Since January 2012 to December 2016, Total of **785 (Seven Hundred Eighty Five Only)** Second Appeals and Complaints were received.
Out of which, 458 Second Appeals and 327 Complaints as per Section 19 (3) & 18 respectively of the RTI Act.

UTTARAKHAND

Uttarakhand State Information Commission came into existence on 3rd October, 2005

1. **Annual Report (Financial Year):** Since 2005-06, Annual Reports are available till 2013-2014. Report for the year 2014-15 is prepared but not laid before the Assembly. Report for the Year 2015-16 is under preparation.
2. **Total Number of RTI Applications before all Public Authorities in Uttarakhand:** As per the Annual Reports and RTI replies to TII, Since **November 2005 to March 31, 2017, Total 6,78,516 (Six Lakh Seventy Eight Thousand Five Hundred Sixteen Only)** requests for information were received from all parts of the State seeking information from PIOs of various departments and other authorities.
3. **Total Number of Second Appeals and Complaints received at Uttarakhand State Information Commission:** Since **November 2005** to March 31, 2017, **Total 35,575 (Thirty Five Thousand Five Hundred Seventy Five Only)** Second Appeals and Complaints were received as per Section 19 (3) & 18 respectively of the RTI Act.

WEST BENGAL

West Bengal State Information Commission came into existence on 12th December 2005

1. **Annual Report (Financial Year/Calendar):** Since 2006-07, Annual Reports are available till 2015. Annual Report of the Year 2016 is under preparation. (Annual Reports are in financial year format except 2009, 2010 and 2015).
2. **Total Number of RTI Applications before all Public Authorities in West Bengal:** As per the Annual Reports and RTI replies to TII, Since **December 12, 2005 to December 31, 2015, Total 77,302 (Seventy Seven Thousand Three Hundred Two Only)** requests for information were received from all parts of the State seeking information from PIOs of various departments and other authorities.
3. **Total Number of Second Appeals and Complaints received at West Bengal State Information Commission:** Since **December 12, 2005 to 2015, Total of 15,051 (Fifteen Thousand Fifty one Only)** Second Appeals and Complaints were received.

Out of which 8,058 Second Appeals and 6,993 Complaints were received as per Section 19 (3) & 18 respectively of the RTI Act.

CHALLENGES

Amidst all the efforts that are being made towards successful implementation of the Act, there are some real challenges which the authorities face. There are structural as well as functional deficiencies which challenge the efforts being put in. The foremost challenge is to strike a perfect balance between “Right to Information” and “Right to Privacy”. The Act needs to further dwell on the definitions of terms “personal” and “fiduciary”

Vacancies of Information Commissioners directly translate to the increased pendency of the cases to be disposed. It is often seen that these vacant positions become the parking lot for the retired civil servants. On the contrary to this, these important positions should be manned with candidates with legal acumen.

The First Appellate Authority has only a ritualistic role to play. One can safely conclude that the First Appellate Authority is just performing duty of an 'attesting authority' to reply of PIO instead of appellate as envisioned in the act. The Government department failed to adopt culture of pro- active disclosures required as per Section 4 of the RTI Act, 2005. According to DoPT, Central Information Commission is responsible to enforce section 4 of the Act and more or less commissions have failed to supervise. At commission level, the successful model of “RTI Adalat” must be popularized.

The desire to benefit the masses with the provisions of this act is still far from being achieved because of the lack of awareness of the masses. Including one or two page on the RTI Act, 2005 in the curriculum of schools and colleges may increase the awareness of the same.

CHALLENGES FACED BY DIFFERENT STAKEHOLDERS

Information Seeker

1. Low awareness level, particularly among marginalized section.
2. Non-uniform RTI Rules & procedures, inconvenient mode and non uniform fee across the States.
3. Unsupportive attitudes of PIOs are leading to unsatisfactory and poor quality replies by PIOs.
4. Ritualistic approach' by First Appellate authority, huge pendency and leniency towards PIOs at Information Commission level.
5. Intimidation and threat by the person in power.

Public Information Officer (PIO)

1. Ineffective record management system particularly in state field offices/ departments
2. Inadequate training to PIO & FAAs particularly on key order/judgments of Information commissions and courts
3. Limited use of IT like in Case Management System and 'e reply' during processing RTI applications.
4. Understaffed positions of PIOs, thus increased workloads.
5. Lack of motivation & no incentives for good work.

State Information Commission

1. Lack of 'political will' for strengthening State Information Commission.
2. Absence of Infrastructure and Inadequate human resources in Commission.
3. High Level of Pendency and vacancy in Information Commission.
4. Lack of Monitoring and Review mechanism within the Government department on RTI.
5. Absence of culture of Suo Motos disclosure of information.

RECOMMENDATIONS

1. TECHNOLOGY

In this tech savvy, use of innovative technology to disclose more and more information through the government websites across all platforms including vast mobile connectivity and mobile applications, in multiple languages will in itself make the system transparent. States like Maharashtra use video conferencing to dispose off the cases of second appeals.

2. TRAINING

Training and orientation of the government officials on RTI Act, rules and recent order/judgments will immensely add to the efficiency of their respective departments. A dedicated center to give training to the PIOs and civil society will go a long way and will equip them with desired skills.

3. AWARENESS

Lack of awareness among the stakeholders of the RTI Act, will prove detrimental to the objective of having a wide reach. Whereas, including an introductory material one or two page on RTI Act in the curriculum can help in making the youth aware of the Act in long citizenry as a whole.

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