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14th Anniversary of Right To Information

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An important instrument of participatory democracy-Right To Information (RTI) has marked its 14th anniversary on 12th october 2019.

To mark the occasion, the '**Report Card on the Performance of Information Commissions in India**' has been released by the NGOs, Satark Nagrik Sangathan and the Centre for Equity Studies.

Key Findings

- **Achievements**

- RTI is one of the **landmark acts** which has led to a **significant boost** in accountability of the govt towards the people.
 - It has given ordinary citizens the confidence and the **right to ask questions** to the government authorities.
- RTI ensured the **maintenance and publication of public records**.
 - Section 4 of the RTI Act makes it a duty of public authorities to maintain records for easy access
- It also ensured **transparency as well as accountability** between citizens and public authorities.
 - Recently, the government of Rajasthan has launched **Jan Soochna Portal (JSP)**, on the lines of **Right to Information Act (RTI)**.
- RTI emphasizes **citizen centric approach**.
- It assured **information accessibility** at **every level** of public governance.
- According to estimates, nearly **60 lakh applications** are being filed every year.

- **Challenges**

- Government officials face **hardly any punishment for violating the law** by denying applicants legitimate information.

It destroys the basic framework of incentives and disincentives built into the RTI Act.

- State and Central Information Commissions, which are the courts of appeal under the RTI Act, **failed to impose penalties in about 97% of the cases** where violations took place.

The State Commissions of **Tamil Nadu, Sikkim, Mizoram and Tripura did not impose penalties in any cases at all.**

- The commissions also have the **power to recommend disciplinary action against officials** for persistent violations of the RTI Act.

Only **10 states invoked** these powers.

- Many Information Commissions are **non-functional or are functioning at reduced capacity** as the **posts of commissioners, including that of the chief information commissioner are vacant.**

- The State Information Commission(SIC) of the state of Andhra Pradesh is yet to become functional.

- The State Information Commission of West Bengal is currently functioning with just two commissioners.

- The Chief Information Commissioner of Maharashtra retired in April 2017 and the government is yet to appoint a new Chief

- The central, as well as state commissions, have an **increasing workload**, which is **leading to huge pendency** of cases.

Any **new appeal to the Central Information Commission (CIC)** would have to wait more than one-and-a-half years for resolution.

Central Information Commission (CIC)

- CIC was established in **2005** by the Central Government under the provisions of **Right to Information (RTI) Act, 2005.**
- The Chief Information Commissioner heads the Central Information Commission.
- It hears appeals from information-seekers who have not been satisfied by the public authority and also addresses major issues concerning the RTI Act.
- CIC submits an annual report to the Union government on the implementation of the provisions of RTI Act.

State Information Commission

- The Right to Information Act of 2005 provides for the creation of a State Information Commission at the state level.

- The State Information Commission is a high powered independent body which inter-alia looks into the complaints made to it and decide the appeals.
- It entertains complaints and appeals pertaining to offices, financial institutions, public sector undertakings, etc.under the concerned state government.
- The Commission consists of a State Chief Information Commissioner and not more than ten State Information Commissioners appointed by the Governor.

Source: TH