



Compliance to the RTI Act, 2005

Why in News

The think tank 'Vidhi Centre for Legal Policy' has released a report titled, 'Sunshine in the Courts: Ranking the High Courts on their compliance with the RTI Act'.

- It developed a '**Convenience Index**' which evaluates the extent to which the RTI Rules framed by the High Courts make it convenient for citizens to file RTI applications.
- According to the [Right to Information \(RTI\) Act, 2005](#), every High Court is required to draft RTI Rules to lay down a procedure for filing RTI applications.
- Many High Courts draft RTI Rules, which while legal, make it extremely inconvenient for citizens to file RTI applications by raising unnecessary hurdles.

Key Findings

- **Wide Gap** between the judiciary's pronouncements on the RTI Act and the manner in which the High Courts are implementing it.
- **Violation of the Act**
 - Despite **Section 8 of the RTI Act** restricting the number of grounds for denying information to citizens, the RTI rules of several High Courts have included additional grounds for rejecting requests for information.
 - High Courts at Bombay, Delhi, Gauhati and Gujarat are among the ones which have created additional grounds for non-disclosure of information.
 - There is a **lack of good quality proactive disclosures** by several High Courts on their websites. This is **violative of Section 4(1)(b)** of the RTI Act.
- **Transparency**
 - There is a lack of administrative transparency and financial transparency within High Courts.
 - Fewer High Courts are only willing to provide copies of their budgets and audit reports under the RTI Act.
- **Payment of Fees**
 - High Courts of Allahabad, Chhattisgarh and Gauhati are among the ones which **do not recognise convenient modes of payments** like postal orders.
 - The High Courts of Chhattisgarh and Jharkhand prescribe only court fee stamps as relevant mode of payment.
 - The **Gujarat High Court does not mention any mode of payment**, which increases uncertainty for RTI applicants.
- **Ranking on the 'Convenience Index'**
 - On the index, **not a single High Court was able to match the convenience offered by the Government of India's RTI Rules.**
 - The **High Courts at Patna, Delhi and Kerala performed the best** on the index.

- The High Courts at Gujarat, Madras, Meghalaya and Chhattisgarh performed the worst.

- **In Comparison with the Government of India**

- RTI rules of several High Courts provide for a **relatively inconvenient procedure** when compared to the RTI rules of the Government of India.
- For example, many courts currently charge five times the amount charged by the Centre for filing RTI applications.

- **Recommendations**

- The High Courts should publish **clearly discernible rules** on the website in the local language of the state.
- Having **more modes of payment** through the RTI fees in order to make it simple for citizens to file RTI applications.

[Source: TH](#)

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