State of RTI in India

Based on the recent report by RTI Assessment & Advocacy Group (RaaG)

Peoples' Monitoring of the RTI Regime in India 2011-2013

Anjali Bhardwaj @AnjaliB_

This is not an ADB material. The views expressed in this document are the views of the author/s and/or their organizations and do not necessarily reflect the views or policies of the Asian Development Bank, or its Board of Governors, or the governments they represent. ADB does not guarantee the accuracy and/or completeness of the material's contents, and accepts no responsibility for any direct or indirect consequence of their use or reliance, whether wholly or partially. Please feel free to contact the authors directly should you have queries.

Who uses the RTI act and for what?

- Estimated four million RTI applications filed in 2011-12 of which approximately 300,000 to 500,000 (7.5-12.5%) applicants were from rural areas. In 2005-08, estimated 2 million RTI applications filed with approximately 400,000 (20%) applicants from rural areas
- In 2011-13 only 8% of the applicants were women, down from about 12% in 2005-08
- In 2011-13, all the RTI applicants of the rural sample and more than half of the urban sample were from below the poverty line.

Who uses the RTI act and for what?

- 67% RTI applications sought information that should have been provided without people having to file an application under the RTI Act-
 - 49% of RTI applications sought information that should have been proactively provided under section 4 of the RTI Act
 - 18% sought information on acknowledgement / response etc. that should have been available even without the RTI Act.
- Similar result of 69% of prev. study.
- 16% sought information which seems directly or indirectly related to a complaint or grievance.
- Less than 1% of RTIs found to be vexatious or frivolous or infringing on privacy in both studies.



State of Proactive Disclosures

- Basic information about the RTI Act-
 - In 65% of the public authority premises inspected, no board displaying details of the PIO, fee, timings etc. could be found.
 - 10% of websites analysed did not provide information on the name of the PIO while 73% did not provide information on the quantum of application fee
- Compliance with provisions Section 4 (proactive disclosures) of the RTI Act
 - 23% of PA websites analysed did not have a link to section 4 disclosures
 - In 59% of the PA premises inspected, no records detailing the categories of information listed under section 4 were available for inspection
- Innovations- wall painting, boards, webcast of Assembly proceedings, detailed MIS with granular information down to the village level

नगदम्बा के मा १. संस्था का नाम = इण्डकेयर एण्डकमी १. क्षेत्र प्रबन्धक का नाम = धर्मराज्ञ चोध्यी ३. मासिक पास - 30 रू. एक 60 रु हैं। ६. केखरटेकर का नाम = १. शीचालय सुलने का समय = सुबह = 5 बजे से श्रीप्र = 11 बजे तक हैं। १. शीचालय सुलने का समय = सुबह = 5 बजे से श्रीप्र = 11 बजे तक हैं। १. शीचालय सुलने का समय = सुबह = 5 बजे से श्रीप्र = 11 बजे तक हैं। १. यदि अयोगकर्तिकार्देश शिकायत है तो वह क्षेत्र प्रबन्धक से शिकायत कर सकता हैं। १०. शिकायत पुस्तिका के यरटेकर के पास अपलब्ध हैं। ११. शीचालय का मरम्मत कार्य दिनाँक = को कराया गया हैं।

	Mustroll Detail									
S.No	Name/RegNo	Total Attendance	Wage Per Day	Amount Due	Travel and living exp.	Implements / Sharpening Charge				
1	ਜੀਰੀਵ BH-41-006-013- 00589100/1334	6	144	864	0	0				
2	गहनवात(Self) BH-41-006-013- 00589100/1577	6	144	864	0	0				
3	ਚਰੀਰ BH-41-006-013- 00589100/1557	6	144	864	0	0				
4	ਰਜੇਸ਼ ਸ਼ਾਰਜ(Self) BH-41-006-013- 00589100/1578	6	144	864	0	0				
5	अकर दुवैन BH-41-006-013- 00589100/1576	6	144	864	0	0				





Challenges in performance of information commissions

- Pendency
- Poor quality of orders
- Lack of penalty imposition

Estimated time for an appeal/complaint filed on January 1, 2014 to come up for hearing before the IC

IC	Pending as on 31-12-2013	Monthly disposal rate reported by ICs	Time before new appeal is heard
MP	14,977	21	60 years & 10 months
WB	8,506	40	17 years & 10 months
RAJ3	13,538	341	3 years & 4 months
ASS	1,378	43	2 years & 8 months
KER4	5,789	213	2 years & 3 months
AP1	12,456	681	1 year & 6 months
UP	48,442	3,044	1 year & 4 months
CHH2	3,867	256	1 year & 3 months
KAR	14,686	1,027	1 year & 2 months
CIC(3)	26,115	1,986	1 year & 1 month
MAH	32,390	2,560	1 year & 1 month
GUJ	8,017	898	9 months

ODI	4,234	488	9 months
ARU	38	10	4 months
HAR	1,537	464	3 months
PUN	1,484	522	3 months
UTT4	1,076	392	3 months
HP4	205	92	2 months
NAG	3	2	1 month
MEG	1	4	0
MIZ	1	1	-
SIKK	-	11	-
TRI	-	3	-

FUTURE DIRECTIONS

- Need for greater awareness about the RTI Act, especially in rural areas and among women
- Effective proactive disclosures (Section 4)- accountability of Sec 4
- Improving capacity, performance and accountability of information commissions
- Need for the Lokpal Bill to be activated
- ► Meed for a grievance redress framework
- Need for whistleblowers protection bill
- Need to ensure that systemic changes result, otherwise the danger of an RTI divide

Thank you