

Table of Contents

Executive Summary	5
1. RTI since 2005	7
1.1. RTI Act in brief	7
1.2. Institutional arrangements for RTI implementation	7
1.3. Proactive Disclosure by Public Authorities	10
1.4. Streamlining of RTI implementation by CIC	12
1.4.1. The Central Information Commission (Management) Regulations, 2007	12
1.4.2. Notifications by CIC during the year 2007-08	12
1.4.3. Circulars notified during the year 2007-08	13
1.5. RTI implementation by Ministries and CIC	15
1.5.1. Year wise comparison of implementation of the RTI Act by Ministries	15
1.5.2. Year wise comparison of implementation of the RTI Act by CIC ...	16
1.6. Analysis of requests received by ministries and second appeals and complaints received by CIC	18
2. Implementation of the RTI Act by Ministries	19
2.1. Top ten ministries in terms of RTI requests received in 2007-08 ..	19
2.2. Top ministries in terms of RTI requests rejected in 2007-08	22
2.3. Top ministries which have high rejections of requests in 2007-08	25
2.4. Ministries which have rejected least number of requests in 2007-08	27
2.5. Top ministries which have rejected lowest percentage of requests in 2007-08	28
2.6. Distribution of provisions invoked under sections 8, 9, 11, and 24 of the Act	29
2.7. Distribution of invocation of various provisions under section 8	30
2.8. Top ministries which have received high number of first appeals .	32
2.9. Top ministries which have accepted high number of first appeals	33
2.10. Distribution of total amount collected under different provisions ...	34
3. CIC in 2007-08	35
3.1. Analysis of RTI applications in Central Information Commission ..	35
3.2. Plan schemes	37
3.3. Budgetary allocations	38
3.4. Analysis of second appeals received by CIC in the year 2007-08	38
3.5. Analysis of complaints received by CIC	40

Table of Contents

3.6.	Analysis of cases in which penalty is imposed	41
3.7.	Analysis of cases in which compensation is awarded	42
3.8.	Case studies of complaints enquired in detail by the CIC	42
3.8.1.	Enquiry in r/o complaint number CICWBC200600041	42
3.8.2.	Enquiry in r/o complaint number CICWBA200600029	42
4.	Initiatives by Public Authorities and CIC	44
4.1.	Conference(s) in India	44
4.2.	Events	44
4.3.	Seminars and Workshops in India	44
4.4.	International conferences	44
4.5.	Innovations brought out by CIC in RTI implementation	45
4.5.1.	Engaging students	45
4.5.2.	Video Conference based hearings	45
4.6.	Initiatives taken by public authorities in RTI implementation	45
5.	Recommendations for reforms	48
5.1.	Recommendations from CIC	48
5.1.1.	Streamlining the procedure of dealing with RTI Applications	48
5.1.2.	Full conformity with the Spirit of RTI Act 2005	48
5.1.3.	Strengthening of staff for efficient disposal of applications	50
5.1.4.	Accountability and good governance	50
5.1.5.	Specific Cases of Recommendation	51
5.1.6.	Implementation of Homogeneous Fees Structure	51
5.2.	Suggestions by Public Authorities for improvements in the implementation of the RTI Act	51
5.3.	Recommendations of the Annual Conference	53
5.3.1.	Enforcement of Section 4 of the RTI Act and Creation of 'E-Districts' 53	
5.3.2.	Autonomy and other Administrative Matters Relating to the Information Commissions	54
5.3.3.	Enforcement of Decisions and Penal Clauses of the Act	54
5.3.4.	Future Evolution of the RTI Regime	55

Table of Contents

ACRONYMS

ACR	Annual Confidential Reports
CIC	Central Information Commission
CPIO	Central Public Information Officer
CVC	Central Vigilance Commission
DoPT	Department of Personnel and Training
EPFO	Employees Provident Fund Organisation
FAA	First Appellate Authority
IT	Information Technology
MIS	Management Information System
NIC	National Informatics Centre
PIO	Public Information Officer
RTI	Right to Information
SIC	State Information Commission
UT	Union Territory

Executive Summary

The Right to Information Act, 2005 came into force with effect from 12 October, 2005; putting into place the system for setting out the practical regime of right to information. The Central Information Commission, at the national level, has been effectively instrumental in promoting and propagating the culture of access to information as a matter of right by discharging its duties and function, as enjoined in the Act.

This is the Third Annual Report of the Central Information Commission since its inception. A perusal of the report reveals that there has been, by and large, a general deepening and widening of the RTI regime as envisaged in the RTI Act, 2005; through gradually increasing awareness about the philosophy and content of the Act amongst citizens as well as government and its instrumentalities. The Central Information Commission too, has taken number of initiatives to strengthen the implementation of the RTI Act; besides discharging its duty as an adjudicatory authority to facilitate access to information.

The Annual Report has been organized into five segments. The first gives a detailed account of the implementation of the RTI Act including inter alia the system in place for facilitating access to information as also the progress made since it was implemented in 2005. The second Chapter covers analysis of the implementation of the RTI Act by various public authorities and looks at the way various ministries have implemented the Act, including among others quantitative and qualitative nature of disposal. The Chapter 3 details the activities of the Central Information Commission in the year 2007-08. The Fourth Chapter lists the initiatives taken by the CIC and public authorities in strengthening the implementation of the Act. The Chapter 5 has been devoted to recommendations for various reforms felt necessary for more effective and efficacious implementation of the Act with a view to bring about more transparency and accountability in governance.

This report is based on inputs collected and collated from official records as well as from responses received from public authorities to a questionnaire circulated by the Central Information Commission. Some of the highlights are as mentioned in succeeding paragraphs.

The analysis of Annual Return submitted by the public authorities reveals that there has been an increase of 54% in the number of RTI requests received in 2007-08 as compared to the previous year. The percentage of requests rejected, as against number of requests received, has come down from 9% in 2006-07 to 7% in 2007-08, as indicated in the table below:

Year	2007-8	2006-07	2005-06
Total number of public authorities listed/registered	1,597	1,404	938
Number of public authorities who submitted annual return	1,382	1,172	837

Executive Summary

Total number of requests received	263,261	171,404	24,436
Total number of the rejected requests	18,966	15,388	3,387
Total penalty levied (Rupees)	718,500	383,250	0
Total penalty recovered (Rupees)	283,000	78,428	0
Total amount of fees, additional charges and penalty collected (Rupees)	4,356,782	3,071,167	508,749

The total number of RTI requests, received by public authorities, including the balance carried forward from the preceding year is 287,187. The total number of first appeals received by all public authorities, including balance carried forward from the previous year, is 31,546. The total number of first appeals accepted by all public authorities is 19,968 and the number of first appeals rejected is 7,606.

In 2007-08, the CIC received a total of 11,261 requests which includes both second appeals as well as complaints.

There has been a significant increase of 65% in case of receipt of second appeals and complaint over the previous year. The percentage of second appeals and complaints disposed by the Commission in 2006-07 was about 60% of the total receipts; and it has increased to 69% of the total receipts in 2007-08.

Number of second appeals received	Number of second appeals disposed	Number of second appeals accepted	Number of second appeals rejected
7301	5702	5122	580
Number of complaints received	Number of complaints complaints disposed	Number of accepted	Number of complaints rejected
3960	2020	1794	226

The CIC levied penalty in 54 cases and the total amount involved is Rs. 718,500. As against this, the total penalty recovered during the year is Rs. 283,000.

The number of cases in which CIC has awarded compensation during the year 2007-08 is 50 and the total amount awarded as compensation is Rs. 279,900.

Executive Summary

The Commission has recommended disciplinary actions against aberrant officers in public authorities in 10 instances during the year.

In order to strengthen the implementation of the RTI Act, the CIC has made a number of recommendations to public authorities, under the relevant provisions of the RTI Act. These can be classified broadly under the following categories:

1. Streamlining the procedure of dealing with RTI Applications.
2. Conformity with the RTI Act 2005 in letter as well as spirit.
3. Strengthening of staff for efficient disposal of RTI applications.
4. Better practices leading to transparency, accountability and good governance.
5. Implementation of homogeneous fees structure.

The CIC organized a conference on 17 October, 2007 attended by the Chief Information Commissioners of all the states as well as Information Commissioners of the Central Information Commission and State Information Commissions. The highlights of the day long deliberations were presentation on various contemporary issues viz. Operationalising Section 4, E-District and the Right to Information, Enforcement of decisions and penal clauses etc. followed by in depth discussion. The recommendations of the conference were categorized under the following categories:-

1. Enforcement of Section 4 of the RTI act and Creation of 'E-Districts'
2. Autonomy and other Administrative Matters Relating to the Information Commissions
3. Enforcement of Decisions and Penal Clauses of the Act
4. Future Evolution of the RTI Regime