October 12, 2023 marks 18 years of implementation of the RTI Act in India. The law has empowered millions of people to seek information and hold the government accountable. Under the RTI law, information commissions are the final appellate authority and are mandated to safeguard people’s fundamental right to information. Information commissions (ICs) have been set up at the central level (Central Information Commission- CIC) and in the states (state information commissions- SICs).

Satark Nagrik Sangathan has compiled a report on the performance of information commissions across the country based on information accessed under the RTI Act. The key findings of the report titled, ‘Report Card on the Performance of Information Commissions in India, 2022-23’ are attached.

The report examines the performance of all 29 commissions in India in terms of the number of commissioners in each commission, number of appeals and complaints registered and disposed by them, number of pending cases, estimated waiting time for the disposal of an appeal/complaint filed in each commission, frequency of violations penalised by commissions and transparency in their working.

The highlights include:

- **4 out of 29 Information Commissions are defunct & 6 commissions are functioning without a Chief**
- **More than 3 lakh cases are pending in information commissions across India**
- **10 commissions have an estimated waiting time of one year or more to dispose a matter**

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The highlights include:

- **4 Information Commissions- Jharkhand, Telangana, Mizoram and Tripura - are completely defunct** as no new commissioners have been appointed upon the incumbents demitting office.
- **6 commissions are currently headless-** the Central Information Commission and SICs of Manipur, Chhattisgarh, Maharashtra, Bihar and Punjab.
- **2,20,382 appeals and complaints were registered between July 1, 2022 and June 30, 2023 by 28 information commissions** for whom relevant information was available. During the same time period, 2,14,698 cases were disposed by 29 commissions for which information could be obtained.
- **3,21,537 appeals and complaints were pending on June 30, 2023 in the 27 information commissions**, from which data was obtained. The backlog of appeals/complaints has been steadily increasing in commissions. The 2019 assessment had found that as of March 31, 2019, a total of 2,18,347 appeals/complaints were pending in the 26 information commissions from which data was obtained which climbed to 2,20,382 as of June 30, 2021 and then crossed 3 lakh as of June 30, 2022.
- **Using the average monthly disposal rate and the pendency in commissions, the time it would take for an appeal/complaint to be disposed was computed.** The assessment shows that **West Bengal SIC would take an estimated 24 years & 1 month to dispose a matter.** A matter filed on July 1, 2023 would be disposed in the year 2047 at the current monthly rate of disposal! In **Chhattisgarh and Maharashtra SICs, estimated time for disposal is more than 4 years** and in **Odisha and Arunachal Pradesh** more than 2 years. The assessment shows that 10 commissions would take 1 year or more to dispose a matter.
- **The analysis of penalties imposed by information commissions shows that the commissions did not impose penalties in 91% of the cases where penalties were potentially imposable.**
- **Section 25 of the RTI Act obligates each commission to prepare a report on the implementation of the provisions of this Act every year which is to be laid before Parliament or the state legislature.** **19 out of 29 ICs (66%) have not even published their annual report for 2021-22.**

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