



Centre for Civil Society, New Delhi

ATTN: INDIA/NATION DESK

PRESS RELEASE

Indian public authorities fail RTI exam

New Delhi, 12th October, 2006.- Indian public authorities are failing the Right to Information (RTI) Act, which came into force exactly one year ago. A report published by Centre for Civil Society (CCS), a Delhi based think tank, found that 3/4th of states and UTs do not provide even half the information they are duty bound to, under section 4 of the RTI Act.

Section 4 of the RTI Act establishes proactive disclosure or the government's Duty to Publish information. It obligates all public authorities at every level of government, to provide essential details about their functioning. This Duty to Publish obligates them to publish details about budgets, subsidies, licenses and projects, as well as contact information of their Public Information Officers.

Illustrating the dismal state of affairs, more than half the 112 public authorities studied did not provide the names, designations or contact information of their Public Information officers, the most basic information needed to file an RTI request.

Mr. Shekhar Singh, founder member of the National Campaign for the People's Right to Information (NCPRI), who was present for the release of the report said, "Section 4 is the most important part of the RTI Act, it will enable even the poorest groups in society to access information, they might be afraid to ask for."

However as the "Duty to Publish Index: Report card on RTI compliance of states" published by CCS found, the average state provides less than a third of the information required, this is 15 months after the Act was passed. Leaders Madhya Pradesh and Uttaranchal publish 87% and 76% of the required information, respectively. Chandigarh (62%) and Delhi (54%) top the Union Territories.

Speaking at the release Gautam Bastian, editorial associate at CCS, said "The state governments are failing us (the people), and the law". The study finds, Rajasthan, the home of the right to information movement publishes only 11% of the information that they are required to. Assam, Jharkhand and Sikkim are among those who don't publish any information at all. Singh said that the State Information Commissions should take cognisance of these lapses and pull up the laggard authorities for denying the people's right to information. They have the power to do so under section 19 of the Act, he added.

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REPORT CARD ON RTI COMPLIANCE OF STATES

» Major Findings «

1. The **states and union territories fail** with the average DTP Index score of 29%.
2. **68% of all the states and union territories fail**, getting less than 35%, which is usually the passing score of examinations administered by them. The failing states together represent 2/3^{rds} of the population of the country.
3. The **top five** states and union territories are Madhya Pradesh (87%), Uttaranchal (76%), Chandigarh (70%), Punjab (64%) and Delhi (54%)
4. **53% of public authorities do not provide any information at all about their public information officers**, arguably the most basic information required under the RTI Act.
5. 60% of public authorities disclosed their aims and functions, which is the most answered point of the 37 points of compliance. It is followed by the directory of employees revealed by 52% and the designation of the PIO by 46%.
6. Of the **most useful information to citizens**, only 37% gave the details of department budgets, 20% published the manner of execution of subsidies and 23% listed the projects undertaken by the department.
7. The home of the RTI movement, **Rajasthan scores very poorly** with just 11%.
8. Madhya Pradesh (87%), Delhi (59%), and Maharashtra (54%) which had Duty to Publish laws of their own before the RTI Act 2005, manage an above average performance.
9. **Neither Tamil Nadu (5%) nor Goa (17%) manage even a passing score**, in spite of having Right to Information legislation (without any Duty to Publish obligations) since 1997.

Notes:

1. Jammu & Kashmir's Right to Information Act includes Duty to Publish obligations. However we have not assessed it since it is exempted from the Central Legislation.
2. For points 4, 5, and 6 figures relate to the number of public authorities who answered those questions.

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REPORT CARD ON RTI COMPLIANCE OF STATES

Rank	Name of State	DTP Index	
1	Madhya Pradesh	87%	✓PASS
2	Uttaranchal	76%	✓PASS
3	Chandigarh	70%	✓PASS
4	Punjab	64%	✓PASS
5	Delhi	59%	✓PASS
6	Meghalaya	57%	✓PASS
6	Pondicherry	57%	✓PASS
8	Karnataka	56%	✓PASS
9	Maharashtra	54%	✓PASS
10	Haryana	49%	✓PASS
11	Gujarat	46%	✓PASS
12	Tripura	35%	✓PASS
13	Mizoram	32%	✗FAIL
14	West Bengal	24%	✗FAIL
14	Uttar Pradesh	24%	✗FAIL
16	Andhra Pradesh	22%	✗FAIL
16	Lakshadweep	22%	✗FAIL
18	Himachal Pradesh	19%	✗FAIL
19	Kerala	18%	✗FAIL
19	Orissa	18%	✗FAIL
19	Bihar	18%	✗FAIL
22	Goa	17%	✗FAIL
23	Arunachal Pradesh	16%	✗FAIL
23	Andaman & Nicobar	16%	✗FAIL
25	Chhattigarh	15%	✗FAIL
26	Nagaland	11%	✗FAIL
26	Rajasthan	11%	✗FAIL
28	Manipur	5%	✗FAIL
28	Tamil Nadu	5%	✗FAIL
29	Assam	0%	✗FAIL
29	Dadra & Nagar Haveli	0%	✗FAIL
29	Daman & Diu	0%	✗FAIL
29	Jharkhand	0%	✗FAIL
29	Sikkim	0%	✗FAIL
-	Jammu & Kashmir	Exempted	