

KARNATAKA INFORMATION COMMISSION

ANNUAL REPORT 2014 – 15

C O N T E N T S

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ACKNOWLEDGEMENTS

- 1. This is the tenth Annual Report of Karnataka Information Commission. The data for preparation of this report is collected from Government Departments of the State. According to the information provided by the departments, the total number of Public Authorities in the State is 64724 and the total number of Public Information Officers is 83510.*
- 2. Our sincere thanks to the Chief Secretary to the Government of Karnataka and all the Principal Secretaries and Secretaries to the Government for their contribution in providing the required inputs for this report.*
- 3. Officers of National Informatics Centre contributed by not only developing a dependable data-base, but also assisted the Commission by providing the desired output tables.*
- 4. We also acknowledge the contribution of Director, Department of Translation, Government of Karnataka, and his staff for their assistance in preparing the Kannada version of the report. Our thanks to the Director, Department of Printing and Stationery, Government of Karnataka, and his staff for their role in bringing out this report in a most presentable form.*
- 5. The Commission wishes to express special thanks to the Secretary, Law Officer, other officers and staff of the Commission, who have contributed in preparing this report.*

(M R PUJAR)
State Information
Commissioner

(A K M NAYAK)
State Chief Information
Commissioner

(TRAMA NAIK)
State Information
Commissioner

**(Dr. SHEKHAR D
SAJJANAR)**
State Information
Commissioner

(L. KRISHNA MURTHY)
State Information
Commissioner

(SHANKAR R. PATIL)
State Information
Commissioner



CHAPTER – I

INTRODUCTION





CHAPTER – I

INTRODUCTION:

- 1.1 Right to Information Act, 2005, provides for setting out the practical regime of right to information for citizens to secure access to information under the control of public authorities, in order to promote transparency and accountability in the working of every public authority.
- 1.2 It's a decade since the Act came into force and now would be the right time for all stakeholders to get together, identify the strengths and weaknesses, and suggest remedial measures, both administrative and legislative, for more effective implementation of the Act.
- 1.3 It is a matter of grave concern that the pendency in the Commission is increasing day by day mainly due to the failure of some First Appellate Authorities to dispose the appeals within the prescribed time limit. Most of the second appeals, filed before the Commission, are not against the orders passed by these authorities but on account of the their failure to pass any orders at all resulting in a very heavy case load on the Commission and consequent long waiting time for the appellants. Unless the Government, and the Public Authorities under it, act fast and take stringent action against the defaulting First Appellate Authorities the day may not be far off when the Commission will also become one more institution, with huge pendency, defeating the very purpose of the Act, namely, enabling the citizens to get information in a time bound manner.
- 1.4 In pursuance of the mandate under section 25(1) of the Act, the Commission is submitting this Annual Report to the Government containing an overview of the status of implementation of this Act during the year 2014-15.
- 1.5 This report contains analysis of data received from all the State Government departments in accordance with the responsibility cast upon them under sections 25(2) and 25(3) of the Act.
- 1.6 The report includes:
 - (i) Number of officers designated as PIOs and First Appellate Authorities.
 - (ii) Number of requests for information received and disposed by the Public Information Officers.
 - (iii) Number of appeals received and disposed by the First Appellate Authorities.
 - (iv) Number of complaints and second appeals received and disposed by the Commission.



- (v) Amount collected as initial fee and further fee collected by the Public Information Officers.
- (vi) Amount of penalty imposed on Public Information Officers and compensation awarded.
- (vii) Analysis of information furnished by departments.

1.7 Accounts of the Commission and Recommendations also form part of this report.



CHAPTER – II

EVENTS





CHAPTER - II

EVENTS:

- 2.1 The Commission actively participated in Right to Information awareness programs organized by the Government Departments.
- 2.2 Sri A.K.M.Nayak, State Chief Information Commissioner, addressed the Public Information Officers and First Appellate Authorities of Malaprabha Project Zone, Dharwad, on the disposal of requests for information and First Appeals, filed under the RTI Act, at the Office of the Chief Engineer, Malaprabha Project Zone, Dharwad, on 16th May, 2014, organized by Major Irrigation Department.
- 2.3 Sri D.Thangaraj, SIC, addressed Public Information Officers and Assistant Public Information Officers, in the workshop on the implementation of Right to Information Act, organized by Deputy Commissioner, Hassan, on 6th June, 2014.
- 2.4 Sri D.Thangaraj, SIC, addressed Public Information Officers and Assistant Public Information Officers, in the workshop on the implementation of Right to Information Act, organized by Deputy Commissioner, Dharwad District, on 18th & 19th July, 2014.
- 2.5 Sri A.K.M.Nayak, State Chief Information Commissioner, addressed a Workshop for Public Information Officers and First Appellate Authorities of Bruhat Bengaluru Mahanagara Palike, Bengaluru, on effective implementation of Right to Information Act, at BBMP Ward office, Vyalikaval, Bengaluru, organized by BBMP, Bengaluru, on 2nd August, 2014.
- 2.6 Sri D.Thangaraj, SIC, addressed Public Information Officers and Assistant Public Information Officers, in the workshop on the implementation of Right to Information Act, organized by Deputy Commissioner, Kalaburgi District, on 29th & 30th August, 2014.
- 2.7 Sri L. Krishnamurthy and Sri Shankar R. Patil were sworn in as SICs on 28th October, 2014.
- 2.8 Sri D.Thangaraj, SIC, addressed Public Information Officers and Assistant Public Information Officers, of Bengaluru Urban and Bengaluru Rural (Revenue Department), in the workshop on the implementation of Right to Information Act, organized by Regional Commissioner, Bengaluru, at VikasaSoudha, Bengaluru, on 29th November, 2014.
- 2.9 Dr. Shekhar D Sajjanar, SIC, addressed a gathering of about 250 participants, including Public Information Officers, of various



departments of Dharwad District, in the workshop organized by Deputy Commissioner, Dharwad District, on 12th December, 2014.

- 2.10 Sri A.K.M.Nayak, State Chief Information Commissioner, addressed the Public Information Officers, First Appellate Authorities and District Level Officers, of Chikkaballapur District, on effective implementation of RTI Act, at Deputy Commissioner's Office, Chikkaballapur, on 20th December, 2014, organized by DC and CEO, ZP Chikkaballapura.
- 2.11 Sri A.K.M.Nayak, State Chief Information Commissioner, addressed the Public Information Officers, First Appellate Authorities and District Level Officers, of Uttara Kannada District, on effective implementation of RTI Act, at Zilla Panchayath Hall, Karwar, on 23rd December 2014, organized by CEO, ZP, Uttara Kannada District.
- 2.12 Dr. Shekhar D. Sajjanar, SIC, addressed a gathering of about 200 Public Information Officers, of various departments of Bagalkot District, on 23rd December, 2014, organized by Deputy Commissioner, Bagalkot District.
- 2.13 Dr. Shekhar D Sajjanar, SIC, addressed a gathering of about 230 participants, including Public Information Officers of various departments, in Koppal District, organized by Deputy Commissioner, Koppal in Zilla Panchayath meeting hall, on 26th December, 2014.
- 2.14 Sri A.K.M.Nayak, State Chief Information Commissioner, addressed the Public Information Officers, First Appellate Authorities and District Level Officers of Ramanagar District, on effective implementation of RTI Act, at DC's Office, Ramanagar, on 27th December, 2014 organized by DC and CEO, ZP, Ramanagara District.
- 2.15 Sri A.K.M.Nayak, State Chief Information Commissioner, addressed the Public Information Officers, First Appellate Authorities and District Level Officers of Tumakuru District, on effective implementation of RTI Act, at DC's Office, Tumakuru, on 8th January, 2015. organized by Deputy Commissioners and CEO, ZP, Tumakuru District.
- 2.16 Sri D. Tangaraj, SIC, demitted office on 09th January, 2015.
- 2.17 Sri Shankar R. Patil, SIC, participated in the workshop-cum-training programme, organized by the Deputy Commissioner, CEO, ZP & SP, Bidar, and addressed the Public Information Officers and First Appellate Authorities of the District on 12th January, 2015.
- 2.18 Sri T Rama Naik, SIC, addressed a gathering of about 150 participants, Tahsildar and Public Information Officers of various departments in Byadagi, Haveri District, organized by Tahsildar, Byadagi, on 17th January, 2015.



- 2.19 Sri T Rama Naik, SIC, addressed a gathering of about 150 participants, Tahsildar and Public Information Officers of various departments in Hirekeru, Haveri District, organized by Tahsildar, Hirekeru, on 17th January, 2015.
- 2.20 Sri A.K.M.Nayak, State Chief Information Commissioner, addressed the Public Information Officers, First Appellate Authorities and District Level Officers of Kalaburgi District, on effective implementation of RTI Act, at DC's Office, Kalaburgi, on 28th January, 2015, organized by Deputy Commissioner, Kalaburgi District.
- 2.21 Dr. Shekher D Sajjanar, SIC, participated in the workshop-cum-training programme, organized by the Deputy Commissioner of Chamarajanagar, and addressed about 200 Public Information Officers and FAAs of the District on 9th February, 2015.
- 2.22 Dr. Shekher D Sajjanar, SIC, addressed a gathering of about 400 participants, including Public Information Officers of various departments of Mandya District, organized by Deputy Commissioner, Mandya District at Raitha Sabhangana, on 10th February, 2015.
- 2.23 Dr. Shekhar D. Sajjanar, SIC, addressed a gathering of about 100 Public Information Officers, of various departments of Madakeri District, in Darbar Hall on 12th February, 2015, organized by Deputy Commissioners Office, Madakeri.
- 2.24 Sri A.K.M.Nayak, State Chief Information Commissioner, addressed the Public Information Officers, First Appellate Authorities and District Level Officers of Belagavi District, on effective implementation of RTI Act, at Deputy Commissioner's Office, Belagavi, on 21st February, 2015, organized by Deputy Commissioner, Belagavi District.
- 2.25 Dr. Shekher D Sajjanar, SIC, participated in the workshop-cum-training programme, organized by the Commissioner of Police, Bengaluru and addressed about 275 Public Information Officers and FAAs of Police Department of Bengaluru City, on 24th February, 2015.
- 2.26 Sri Shankar R. Patil, SIC, participated in the workshop-cum-training programme organized by the Deputy Commissioner, CEO & SP, Raichur, and addressed the Public Information Officers, First Appellate Authorities of the District, on 26th February, 2015.
- 2.27 Sri A.K.M.Nayak, State Chief Information Commissioner, participated, as Chief Guest, in the Workshop on Right to Information Act, organised by the Union Bank of India, Bengaluru Zone, for CPIOs & First Appellate Authority, representing the seven Regional Offices under the Bengaluru Zone, at Staff Training College, Bannerghatta, Bengaluru, on 28th February, 2015.



- 2.28 Sri Shankar R. Patil, SIC, participated in the workshop-cum-training programme, organized by the Deputy Commissioner, CEO, ZP & SP, Yadgir, and addressed the Public Information Officers, First Appellate Authorities of the District, on 28th February, 2015.
- 2.29 Sri A.K.M.Nayak, State Chief Information Commissioner, addressed the Public Information Officers, First Appellate Authorities and District Level Officers of Mysuru District, on effective implementation of RTI Act, on 13th March, 2015, organized by Deputy Commissioner, Mysuru District.
- 2.30 Sri L. Krishna Murthy, SIC, addressed a gathering of Devadasi Women Organizations, on RTI, organized by Gautam Education and Rural Development Society, at Mudhol, on 14th March, 2015.



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CHAPTER-III

GENERAL INFORMATION





CHAPTER-III

GENERAL INFORMATION

Introduction:

This chapter covers various activities of the Commission during the year. They are: Out-station hearing of cases by the Commission, Petitions heard through Video Conference; Compensation awarded to appellants, penalties imposed on PIOs, etc.

3.1 During 2014-15, 544754 requests for information were received from all parts of the State, seeking information from PIOs of various departments and other authorities under this legislation. Out of this, only 2.77% of the applicants approached the Commission in the form of 3,161 complaints Under Section 18(1) and 12,727 appeals Under Section 19(3) of the Act.

3.2 During the year, the Commission disposed of 10234 cases.

3.3 Out station hearing of cases:

Month	Place	Total Cases Heard	Disposed
December - 2014	Belagavi	27	15
	Bagalkot	23	4
	Kalaburgi	24	6
January-2015	Tumakuru	13	12
	Devanahalli	23	20
	Kalaburgi	42	32
	Koppal	59	24
	Kolar	38	13
	Bidar	34	7
	Haveri	27	11
February - 2015	Kolar	35	11
	Shivamogga	25	17
	Chikkamagaluru	33	22
	Dharwad	20	13
	Belagavi	74	52
	Mysuru	30	10
	Raichur	38	15
	Davanagere	36	20
March - 2015	Bagalkot	59	22
	Vijapura	24	9
	Chamrajnagar	25	10
	Mysuru	34	24
TOTAL		743	369



3.4 Cases heard through Video Conferencing: The Commission heard cases through Video Conferencing. The details are as follows:

Month	Place	Total Cases Heard	Disposed
April - 2014	Kolar	39	14
	Chikkaballapura	06	05
	Bidar	43	02
May - 2014	Ramanagara	08	01
	Kolar	21	06
	Chikkaballapura	09	01
	Tumakuru	13	05
June - 2014	Chamarajanagar	16	04
	Chikkaballapura	32	25
	Mysuru	41	19
	Kolar	25	20
	Kalaburgi	25	14
	Belagavi	35	17
	Koppal	51	27
	Bidar	41	11
July - 2014	Belagavi	09	08
	Chikkaballapura	13	06
	Ramanagara	19	06
	Tumakuru	27	09
	Mysuru	38	18
	Kolar	40	29
	Belagavi	20	12
	Koppal	20	16
	Kalaburgi	22	08
August - 2014	Chikkaballapura	17	09
	Kolar	10	06
	Koppal	13	13
	Tumakuru	20	06
	Ballari	07	00
	Bidar	30	00
	Bagalkot	35	11
	Raichur	26	11
	Kalaburgi	31	14
September-2014	Kolar	09	06
	Mysuru	16	10
	Ramanagara	08	06
	Shivamogga	10	01
	Chikkaballapura	19	12
	Kalaburgi	24	06
	Belagavi	37	18
	Koppal	25	07
	Bagalkot	13	03
	Vijapura	22	09
	Raichur	17	07



Month	Place	Total Cases Heard	Disposed
October-2014	Kolar	23	15
	Bellary	18	18
	Mysuru	30	25
	Ramanagara	05	05
	Chikkaballapura	07	07
	Shivamogga	30	18
November - 2014	Tumakuru	07	07
	Raichur	22	19
	Kolar	14	07
	Chikkaballapura	15	10
	Chamarajanagara	12	08
December - 2014	Vijapura	28	20
	Dharawad	25	07
	Bidar	33	01
	Kalaburgi	27	10
	Yadagiri	32	19
January-2015	Mysuru	49	41
	Kolar	08	04
	Shivamogga	27	13
	Koppal	33	26
	Raichur	28	09
	Bagalkot	12	08
	Vijapura	29	16
	Dharawad	27	15
	Belagavi	27	16
	Kalaburgi	37	04
February - 2015	Kolar	39	27
	Ramanagara	12	09
	Shivamogga	34	04
	Koppal	29	12
	Kalaburgi	33	05
March - 2015	Kolar	06	05
	Raichur	03	02
	Tumakuru	19	18
	Yadagiri	31	16
	Belagavi	27	13
	Chamarajanagar	30	17
	Mysuru	36	11
	Chamarajanagar	30	08
TOTAL		1936	933



3.5 Penalties imposed by the Commission:

3.5.1 Section 19(8)(c) of the R.T.I. Act empowers the State Information Commission to impose penalties on the State Public Information Officers as provided in section 20(1) of the Act.

3.5.2 During the year, the Commission imposed a total penalty of **₹ 16945500/-** on the PIOs of 27 departments.

Department-wise Penalties imposed on PIOs:

Sl No	Department Name	Penalty Imposed in ₹
1	Agriculture & Horticulture Department	83000
2	Animal Husbandry & Fisheries Department	12000
3	Commerce & Industries Department	195500
4	Co-operation Department	168500
5	Department of Personnel & Administrative Reforms	139500
6	Education Department (Primary & Sec, Higher)	839500
7	Energy Department	123000
8	Finance Department	29000
9	Food & Civil Supplies Department	60000
10	Forest, Environment Department	143500
11	Health, Family Welfare and Medical Education Department	117000
12	Home Department	537500
13	Housing Department	31000
14	Infrastructure Development Department	36000
15	Kannada, Culture, Information, Publicity & Tourism Department	47000
16	Chief Electoral Officer & Ex-Officio Principal Secretary to Government, D.P.A.R. (Elections)	10000
17	Law & Human Rights Department	5000
18	Labour Department	94000
19	Public Works Department	161000
20	Revenue Department	4726500
21	Rural Development & Panchayat Raj Department	3928000
22	Social Welfare & Backward Classes Welfare Department	255500
23	Transport Department	74000
24	Urban Development Department	4871000
25	Water Resources Department	198500
26	Women & Child Welfare Department	50000
27	Youth Empowerment & Sports Department	10000
	TOTAL	16945500



3.6 Compensation awarded by the Commission:

3.6.1 Under Section 19(8)(b) of the R.T.I. Act, Commission is empowered to direct the Public Authorities to compensate the appellants for the loss or other detriment suffered by them.

3.6.2 During the year, the Commission awarded compensation to 930 appellants amounting to ₹ 1435120/-. The department-wise details are as follows.

Department-wise Compensation Awarded:

Sl. No.	Department	Compensation Awarded in ₹
1	Agriculture & Horticulture Department	9000
2	Animal Husbandry & Fisheries Department	3200
3	Commerce & Industries Department	8000
4	Co-operation Department	15000
5	Department of Personnel & Administrative Reforms	13220
6	Education Department (Primary & Sec, Higher)	94500
7	Finance Department	11000
8	Food & Civil Supplies Department	6000
9	Forest, Environment Department	12000
10	Health, Family Welfare & Medical Education Department	11000
11	Home Department	70500
12	Housing Department	6500
13	Kannada, Culture, Information, Publicity & Tourism Department	8000
14	Karnataka Legislative Assembly and Council Secretariats	5000
15	Energy Department	3500
16	Public Works Department	8000
17	Revenue Department	380700
18	Rural Development & Panchayat Raj Department	347000
19	Social Welfare & Backward Classes Welfare Department	17000
20	Transport Department	7000
21	Urban Development Department	353000
22	Water Resources Department	14000
23	Women & Child Welfare Department	13000
24	Youth Empowerment & Sports Department	10000
25	Governor's Secretariat	4000
26	Labour Department	5000
TOTAL		1435120





CHAPTER-IV

IMPLEMENTATION OF THE RTI ACT





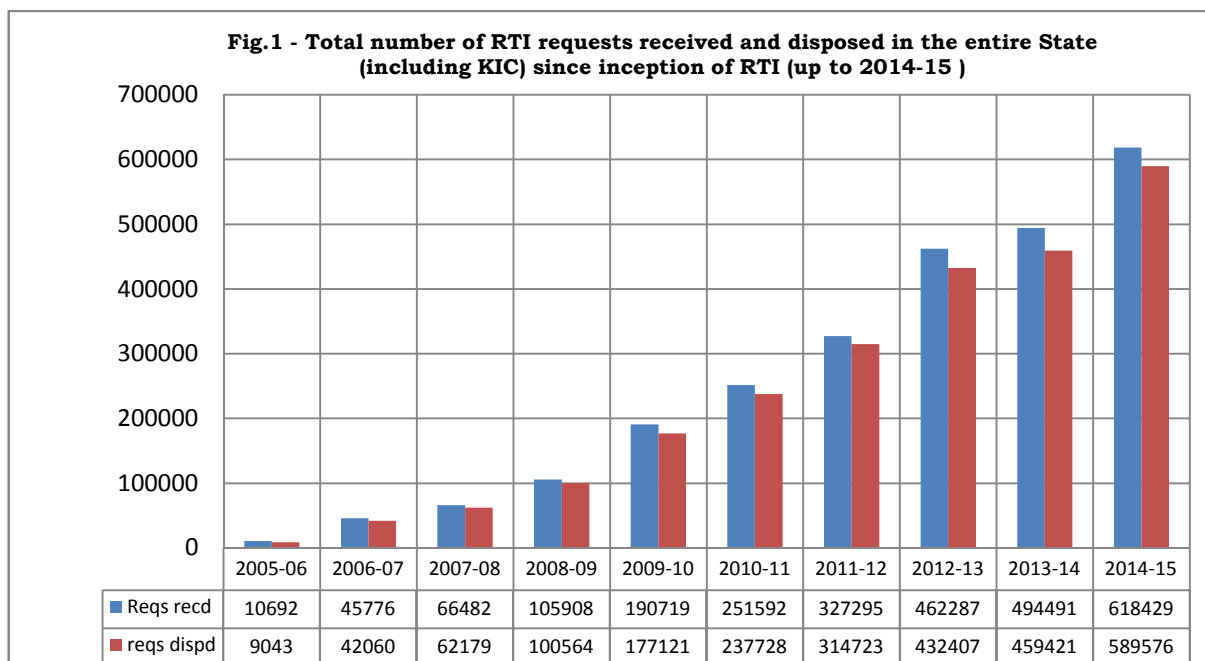
CHAPTER – IV

IMPLEMENTATION OF THE RTI ACT

- 4.1 The Right to Information Act, 2005, empowers the citizens of the country to seek information which is available in material form, from Public Authorities. After the enactment of the Act on 12th October 2005, section 22 of the Act came into force which has got over riding effect on provisions of the existing enactments which prevent disclosure of information; except the information exempted under sections 8, 9 and 10 of the Act.
- 4.2 Section 2(f) of the Act defines what is “information” and Section 2(j) defines what is “Right to Information”. During the last 10 years, citizens are increasingly using RTI Act for getting information.

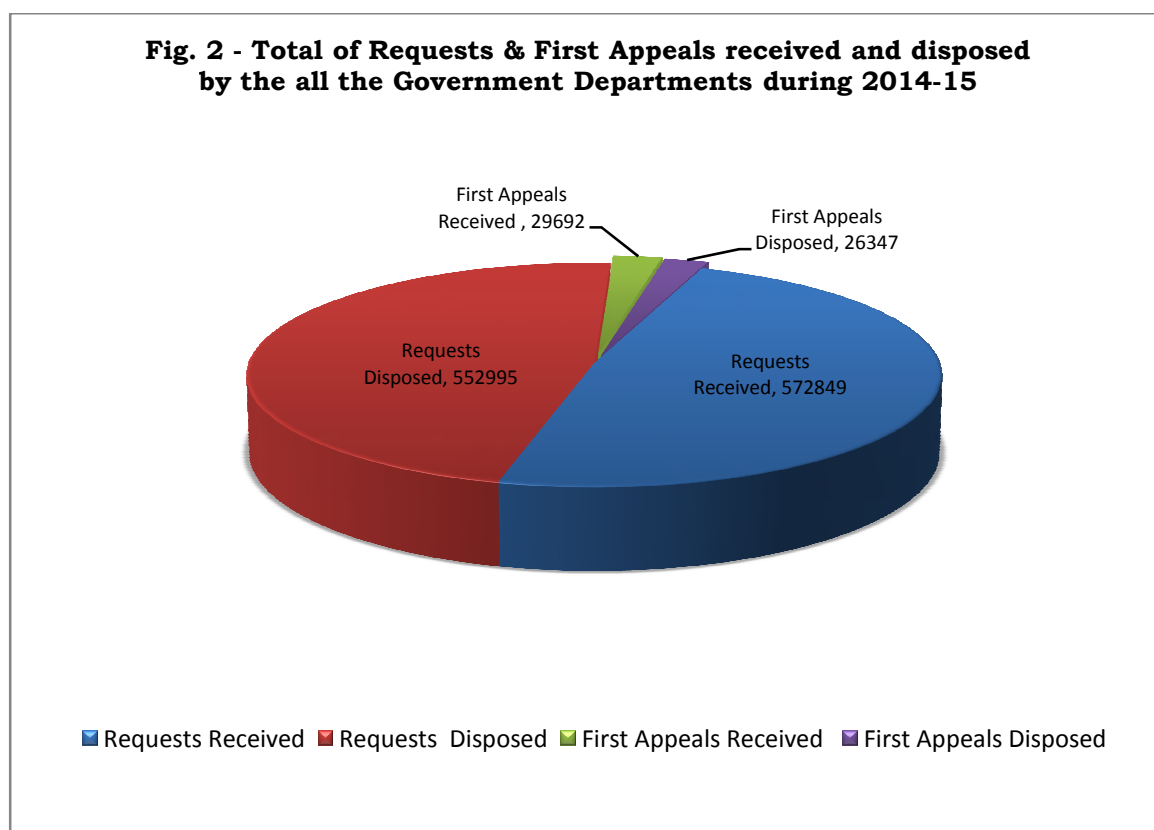
Statistical Analysis:

- 4.3 Though the Act was brought into force on 12th October, 2005, the response was poor initially. However, with increasing awareness, 6,18,429¹ requests were received in the state during the year.
- 4.4 Fig 1 below indicates the trend in use of RTI Act by the citizens in the State.



¹ The total of 6,18,429 includes the requests pending at the beginning of the Year with the PIOs and cases (Complaints & Appeals) received by KIC.

- 4.5 During the year, the number of requests for information received and disposed by all the Public Information Officers has gone up by 25.03% and 28.33% respectively.
- 4.6 Fig.2 below shows the details of the total number of Requests for information received and disposed by the PIOs and the First Appeals received and disposed by the First Appellate Authorities during the year 2014-15.



- 4.7 Fig. 2(a) below shows the percentage of First Appeals filed before the First Appellate Authorities as against requests for information filed before the Public Information Officers of Government departments in the State. This varies from 0.08% (Women & Child Dept.) to 12.91% (DP & AR Dept.).

Fig. 2(a) - Percentage of Appeals received by Government Departments as against Requests during 2014-15

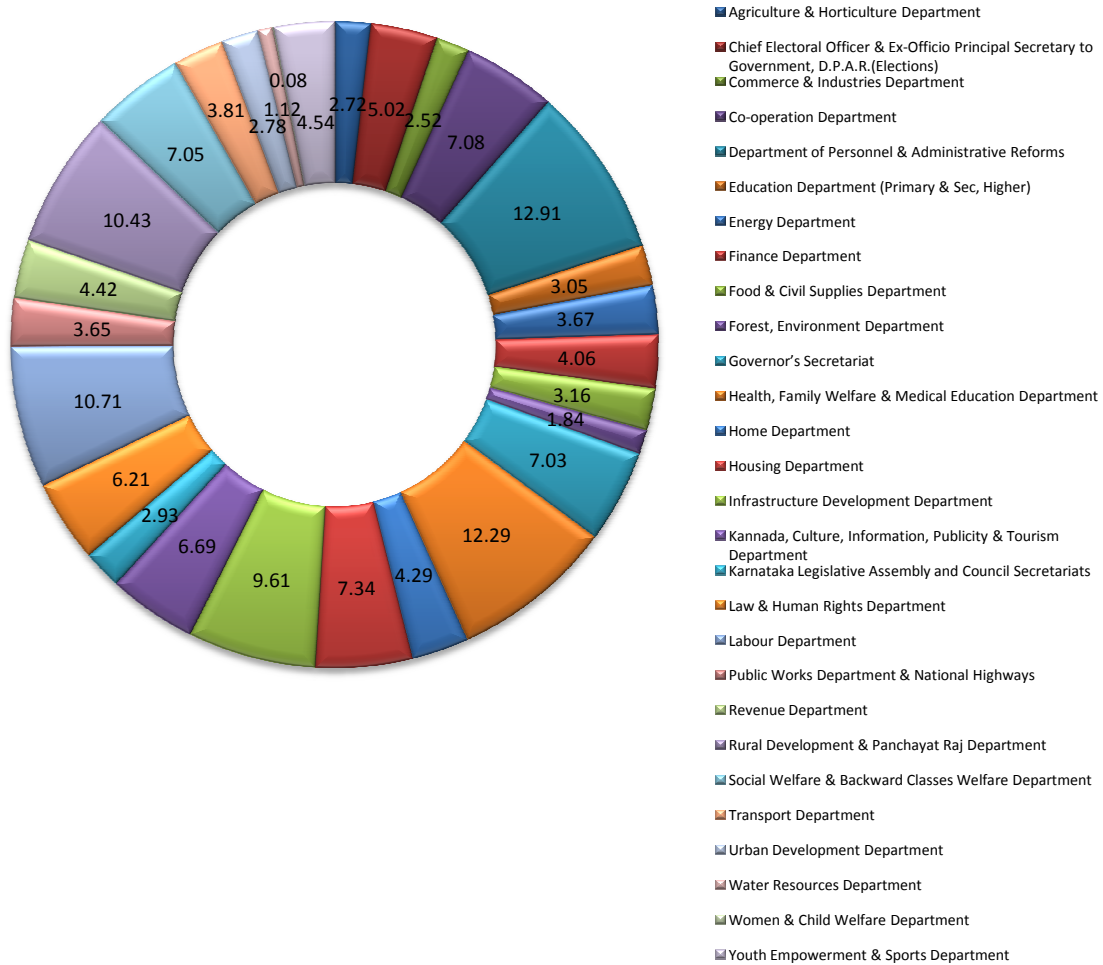


Fig. 2.1(a) - Departmentwise total requests Received-Disposed in the State (including First Appeals) during the Year 2014-15

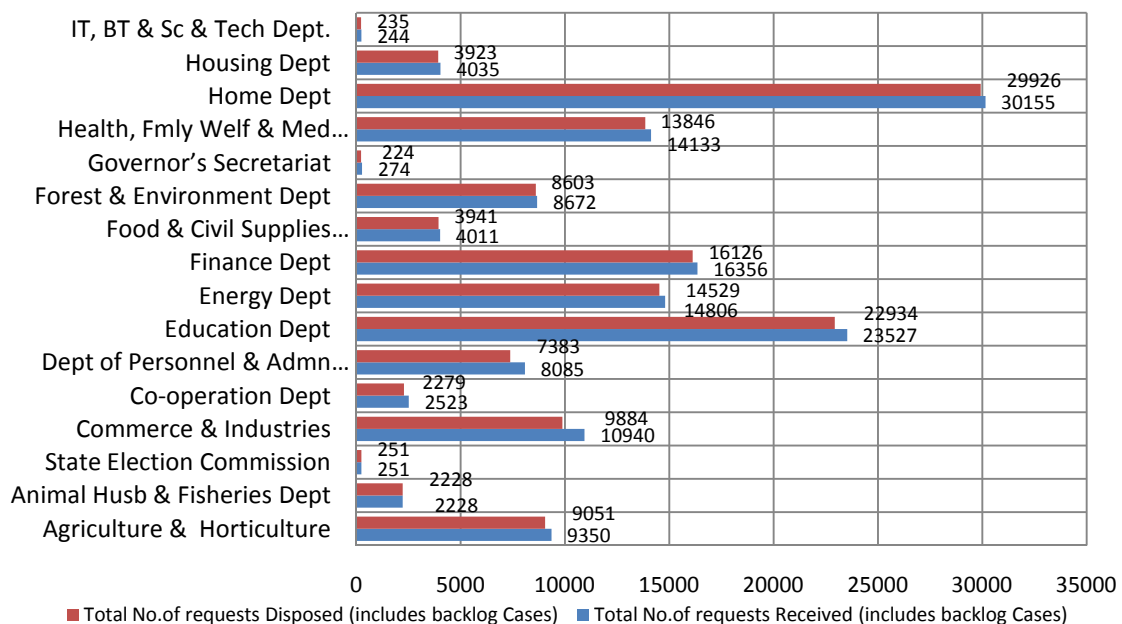
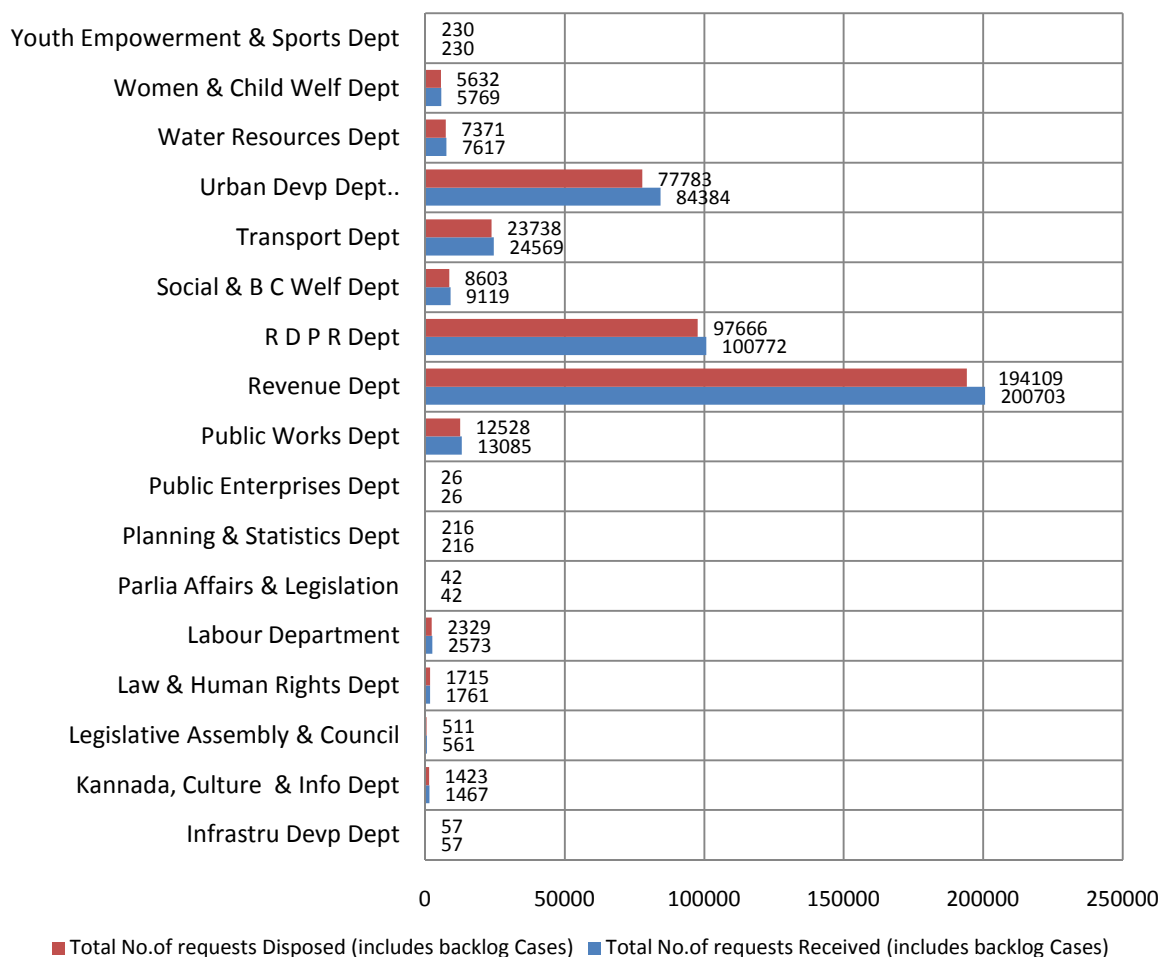


Fig. 2.1(b) - Departmentwise total requests Received-Disposed in the State (including First Appeals) during the Year 2014-15



- 4.8 As in the previous year, during this year also, **three departments** viz, Revenue Department received the highest number of requests for information (2,00,703) followed by RDPR: 1,00,772 and Urban Development Department: 84,384. The number disposed by these three departments is 1,94,109, 97,666 and 77,783 respectively. These three departments collectively accounted for 67.36% of the total requests received by all the Departments during the year.
- 4.9 Requests for information received by RDPR and Revenue Department saw an increase of 36.18% and 36.80% respectively. Urban Development Department witnessed a decrease of 5.21%
- 4.10 The other departments, which received requests in five digits, are Home(30,155) ,Transport (24,569), Education (23,527),Finance (16,356),Energy (14,806), Health, Family Welfare & Medical Education (14,133),Public Works Department & National Highway (13,085),



Commerce & Industries (10,940) together constituting 25.76% of the total requests received by all Departments.

4.11 The Act has provided **exemption from disclosure of information** as follows:

Section 8(1) Notwithstanding, anything contained in this Act, there shall be no obligation to give any citizen:

- (a) *information, disclosure of which would prejudicially affect the sovereignty and integrity of India, the security, strategic, scientific or economic interests of the State, relation with foreign State or lead to incitement of an offence;*
- (b) *information which has been expressly forbidden to be published by any court of law or tribunal or the disclosure of which may constitute contempt of court;*
- (c) *information, the disclosure of which would cause a breach of privilege of Parliament or the State Legislature;*
- (d) *information including commercial confidence, trade secrets or intellectual property, the disclosure of which would harm the competitive position of a third party, unless the competent authority is satisfied that larger public interest warrants the disclosure of such information;*
- (e) *information available to a person in his fiduciary relationship, unless the competent authority is satisfied that the larger public interest warrants the disclosure of such information;*
- (f) *information received in confidence from foreign Government;*
- (g) *information, the disclosure of which would endanger the life or physical safety of any person or identify the source of information or assistance given in confidence for law enforcement or security purposes;*
- (h) *information which would impede the process of investigation or apprehension or prosecution of offenders;*
- (i) *cabinet papers including records of deliberations of the Council of Ministers, Secretaries and other officers:*

Provided that the decisions of Council of Ministers, the reasons thereof, and the material on the basis of which the decisions were taken shall be made public after the decision has been taken, and the matter is complete, or over:

Provided further that those matters which come under the exemptions specified in this section shall not be disclosed;

- (j) *information which relates to personal information the disclosure of which has no relationship to any public activity or interest, or which would cause unwarranted invasion of the privacy of the individual unless the Central Public Information Officer or the State Public Information Officer or the appellate authority, as the case may be, is*

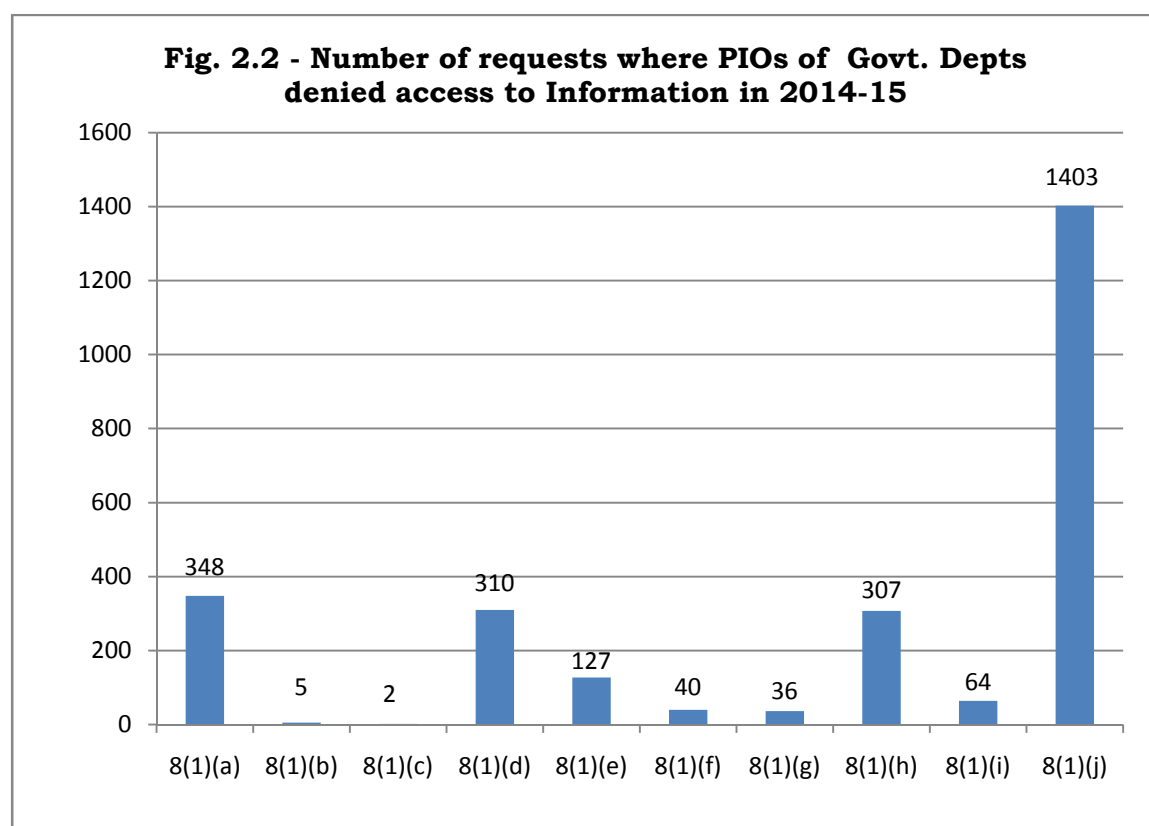


satisfied that the larger public interest justifies the disclosure of such information:

Provided that the information which cannot be denied to the Parliament or a State Legislature shall not be denied to any person.

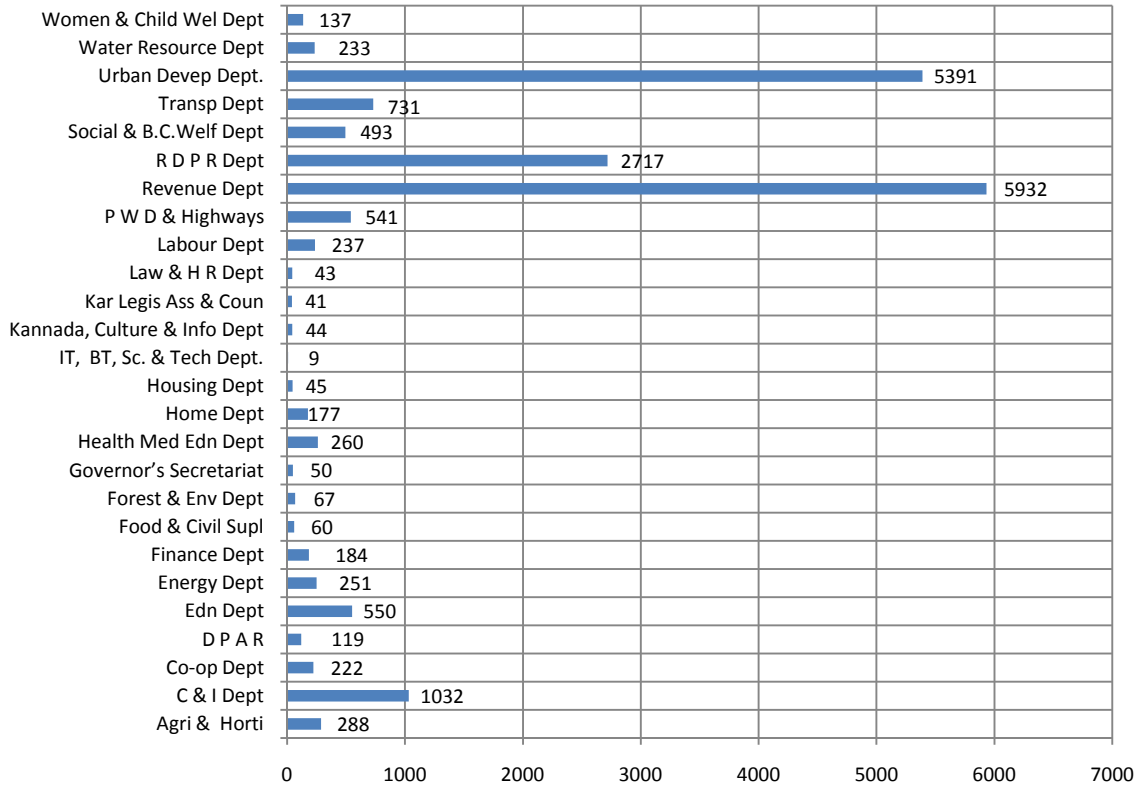
4.12 The Supreme Court of India in its order in Civil Appeal No.7571 of 2011 dated: 2-9-2011, has clarified the provisions of Section 8(1) of the Act and held that sub-sections (a), (b), (c), (f), (g) and (h) are “*Absolute exemptions*”; (d), (e) and (j) as *Conditional exemptions* and (i) as “*Specific period exemption*”.

4.13 Under Section 8(1) of the Act, the PIOs denied information in 2642 requests during the year. The details are shown in Fig. 2.2 below



4.14 Fig.2.3 below shows the details of requests pending with various Government departments as at the end of the year 2014-15. During the year, the total number of pending requests is 19,854 as against 28,095 in 2013-14. A total of 5932 requests were reported pending in Revenue Department, followed by Urban Development Department, (5,391). These two departments, put together, account for 57.03% of the total requests pending during the year. Total numbers of requests pending are 3.75% of the total requests received by all departments.

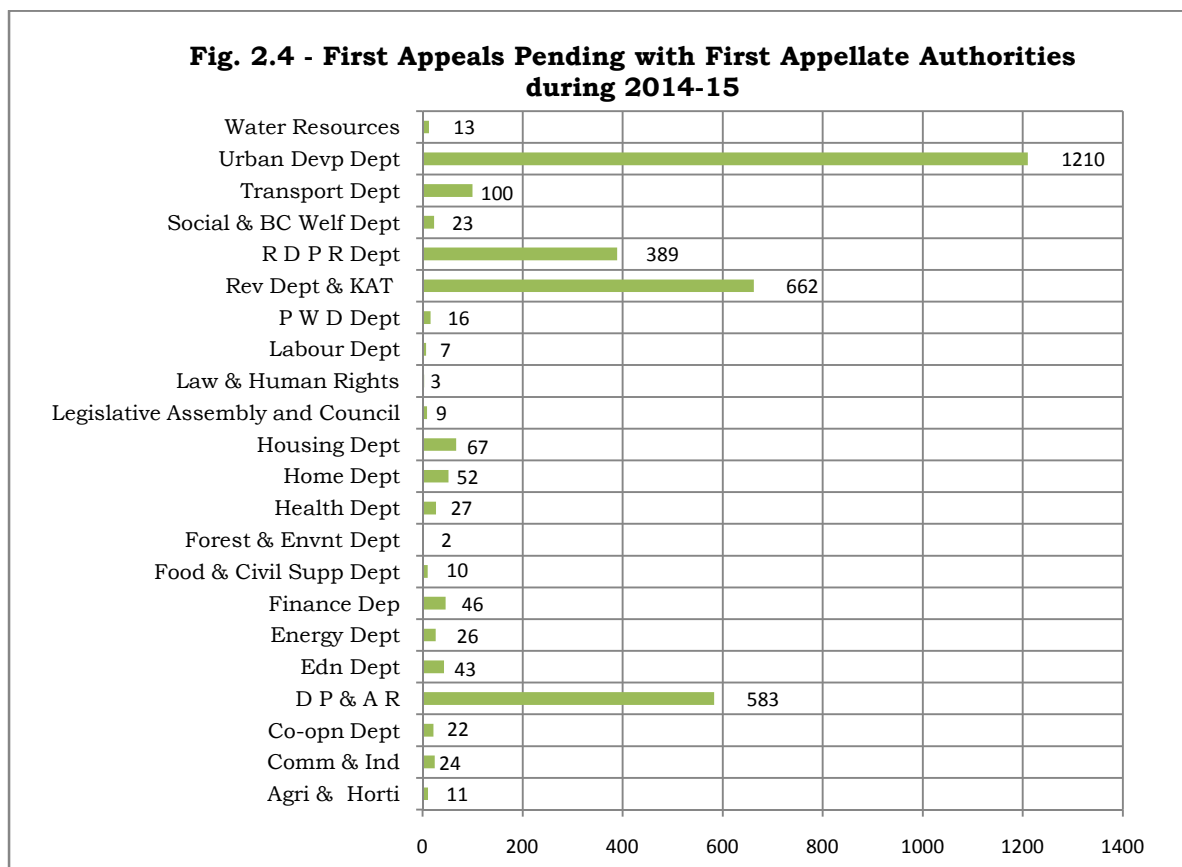
Fig. 2.3 - Departmentwise number of requests pending at the end of 2014-15



4.15 During the hearing of Appeals under section 19(3) of the Act, Commission observed that in some cases, first appeals under section 19(1), are neither heard nor disposed. Some authorities are simply adjourning the cases, much beyond the prescribed period, thereby forcing the Appellants to approach the Commission under section 19(3) of Act. Thus, such inaction of the First Appellate Authorities has not only created tremendous case load on the Commission but has also resulted in the applicants not getting the information within the stipulated period.



4.16 Fig. 2.4 shows the number of First Appeals reported to be pending with the First Appellate Authorities.



4.17 Information pertaining to the implementation of the Act by the Government Departments, during the year, is furnished in the following tables:

Table 1: Number of Public Authorities and Public Information Officers [Section 5(1)].

Table 2: Requests for Information filed Under Sec.6 of the RTI Act and their Disposal by the Public Information Officers.

Table 3: Number of requests rejected Under Section 8(1) and on other grounds by the State Public Information Officers.

Table 4: Disposal of Appeals by First Appellate Authorities filed under Sec.19(1) of the Act.

Table 5: Summary of Fees Collected by Public Authorities.



Table 1
Number of Public Authorities and Public Information Officers
[Section 5(1)]

[Source: Reports from Departments]

Sl. No.	Name of the Department	No of Public Authorities	No of Public Information Officers Designated
1	2	3	4
1	Agriculture & Horticulture Department	22	1705
2	Animal Husbandry & Fisheries Department	12	3747
3	Chief Electoral Officer & Ex-Officio Principal Secretary to Government, D.P.A.R. (Elections)	1	1
4	Commerce & Industries Department	28	247
5	Co-operation Department	5	435
6	Department of Personnel & Administrative Reforms	35	94
7	Education Department (Primary & Sec, Higher)	58198	58546
8	Energy Department	12	725
9	Finance Department	9	1726
10	Food & Civil Supplies Department	5	426
11	Forest, Environment Department	18	381
12	Governor's Secretariat	1	1
13	Health, Family Welfare & Medical Education Department	36	2568
14	Home Department	8	1643
15	Housing Department	4	68
16	Information, Bio-technology, Science & Technology. Department	12	12
17	Infrastructure Development Department	1	2
18	Kannada, Culture, Information, Publicity & Tourism Department	17	51
19	Karnataka Legislative Assembly and Council Secretariats	2	26
20	Law & Human Rights Department	11	41
21	Labour Department	4	171
22	Parliamentary Affairs & Legislation Department	2	8
23	Planning & Statistics Department	7	77
24	Public Enterprises Department	1	1
25	Public Works Department & National Highways	9	396
26	Revenue Department	78	1515
27	Rural Development & Panchayat Raj Department	5843	6080
28	Social Welfare & Backward Classes Welfare Department	14	509
29	Transport Department	7	575
30	Urban Development Department	292	682
31	Water Resources Department	15	493
32	Women & Child Welfare Department	11	554
33	Youth Empowerment & Sports Department	4	4
TOTAL		64724	83510



Table – 2
Requests for Information filed Under Sec.6 of the RTI Act and their
Disposal by the Public Information Officers

[Source: Reports from Departments]

Sl. No.	Name of the Department	Requests pending at the beginning of the year	No of Requests received during the year	Total No of Requests	No of requests Disposed	Requests pending at the end of the year
1	2	3	4	5	6	7
1	Agriculture & Horticulture Department	189	8913	9102	8814	288
2	Animal Husbandry & Fisheries Department	0	2228	2228	2228	0
3	Chief Electoral Officer & Ex-Officio Principal Secretary to Government, D.P.A.R.(Elections)	0	239	239	239	0
4	Commerce & Industries Department	978	9693	10671	9639	1032
5	Co-operation Department	142	2214	2356	2134	222
6	Department of Personnel & Administrative Reforms	647	6513	7160	7041	119
7	Education Department (Primary & Sec, Higher)	364	22465	22829	22279	550
8	Energy Department	412	13869	14281	14030	251
9	Finance Department	380	15337	15717	15533	184
10	Food & Civil Supplies Department	32	3856	3888	3828	60
11	Forest, Environment Department	504	8011	8515	8448	67
12	Governor's Secretariat	0	256	256	206	50
13	Health, Family Welfare & Medical Education Department	106	12480	12586	12326	260
14	Home Department	28	28885	28913	28736	177
15	Housing Department	53	3706	3759	3714	45
16	Information Bio-technology, Science & Technology Department	8	236	244	235	9
17	Infrastructure Development Department	0	52	52	52	0
18	Kannada, Culture, Information, Publicity & Tourism Department	41	1334	1375	1331	44
19	Karnataka Legislative Assembly and Council Secretariats	35	510	545	504	41



1	2	3	4	5	6	7
20	Law & Human Rights Department	6	1652	1658	1615	43
21	Labour Department	235	2089	2324	2087	237
22	Department of Parliamentary Affairs & Legislation	2	40	42	42	0
23	Planning & Statistics Department	0	216	216	216	0
24	Public Enterprises Department	0	26	26	26	0
25	Public Works Department & National Highways	441	12182	12623	12082	541
26	Revenue Department	12580	179622	192202	186270	5932
27	Rural Development & Panchayat Raj Department	2665	88582	91247	88530	2717
28	Social Welfare & Backward Classes Welfare Department	1919	6599	8518	8025	493
29	Transport Department	970	22695	23665	22934	731
30	Urban Development Department	4792	77304	82096	76705	5391
31	Water Resources Department	456	7076	7532	7299	233
32	Women & Child Welfare Department	105	5659	5764	5627	137
33	Youth Empowerment & Sports Department	5	215	220	220	0
TOTAL		28095	544754	572849	552995	19854



Table 3
Number of requests rejected Under Section 8(1) and on other grounds by the State Public Information Officers

[Source: Reports from Departments]

Sl. No.	Name of the Department	Section 8(1)(a)	Section 8(1)(b)	Section 8(1)(c)	Section 8(1)(d)	Section 8(1)(e)	Section 8(1)(f)	Section 8(1)(g)	Section 8(1)(h)	Section 8(1)(i)	Section 8(1)(j)	Other Sections	TOTAL
1	2	3	4	5	6	7	8	9	10	11	12	13	14
1	Agriculture & Horticulture Department	0	0	0	0	0	0	0	0	0	0	1	1
2	Animal Husbandry & Fisheries Department	0	0	0	0	0	0	0	0	0	0	0	0
3	Chief Electoral Officer & Ex-Officio Principal Secretary to Government, D.P.A.R. (Elections)	0	0	0	0	0	0	0	0	0	0	0	0
4	Commerce & Industries Department	0	0	0	29	0	0	0	1	0	18	1	49
5	Co-operation Department	0	0	0	0	0	0	1	0	0	2	2	5
6	Department of Personnel & Administrative Reforms	0	1	0	62	72	7	16	77	25	71	298	629
7	Education Department (Primary & Sec, Higher..)	0	0	0	0	0	0	2	14	0	14	20	50
8	Energy Department	0	2	0	0	7	0	0	8	1	17	5	40
9	Finance Department	1	1	0	51	2	0	2	16	6	60	80	219
10	Food & Civil Supplies Department	0	0	0	0	0	0	0	0	0	2	0	2
11	Forest, Environment Department	15	0	0	1	0	0	0	0	11	13	14	54
12	Governor's Secretariat	0	0	0	0	0	0	0	0	0	0	0	0
13	Health, Family Welfare & Medical Education Department	0	0	0	0	0	0	0	0	0	0	7	7
14	Home Department	5	1	0	3	3	3	10	92	5	50	156	328
15	Housing Department	0	0	0	0	0	0	0	0	0	0	0	0
16	Information Bio-technology, Science & Technology Department	0	0	0	0	0	0	0	0	0	0	0	0
17	Infrastructure Development Department	0	0	0	0	0	0	0	0	2	0	2	4



Sl. No.	Name of the Department	Section 8(1)(a)	Section 8(1)(b)	Section 8(1)(c)	Section 8(1)(d)	Section 8(1)(e)	Section 8(1)(f)	Section 8(1)(g)	Section 8(1)(h)	Section 8(1)(i)	Section 8(1)(j)	Other Sections	TOTAL
1	2	3	4	5	6	7	8	9	10	11	12	13	14
18	Kannada, Culture, Information, Publicity & Tourism Department	17	0	0	0	0	0	0	0	0	14	0	31
19	Karnataka Legislative Assembly and Council Secretariats	0	0	2	0	0	0	0	0	0	1	0	3
20	Law & Human Rights Department	0	0	0	0	9	3	0	1	10	36	374	433
21	Labour Department	0	0	0	0	0	0	0	0	0	0	0	0
22	Parliamentary Affairs & Legislation Department	0	0	0	0	0	0	0	0	0	0	0	0
23	Planning & Statistics Department	0	0	0	0	0	0	0	0	0	0	0	0
24	Public Enterprises Department	0	0	0	0	0	0	0	0	0	0	0	0
25	Public Works Department & National Highways	0	0	0	0	0	0	0	0	0	0	0	0
26	Revenue Department	0	0	0	0	30	0	2	0	0	562	48	642
27	Rural Development & Panchayat Raj Department	310	0	0	12	4	27	3	70	0	263	340	1029
28	Social Welfare & Backward Classes Welfare Department	0	0	0	4	0	0	0	0	0	9	0	13
29	Transport Department	0	0	0	148	0	0	0	24	4	261	10	447
30	Urban Development Department	0	0	0	0	0	0	0	4	0	10	10	28
31	Water Resources Department	0	0	0	0	0	0	0	0	0	0	0	0
32	Women & Child Welfare Department	0	0	0	0	0	0	0	0	0	0	0	0
33	Youth Empowerment & Sports Department	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL		348	5	2	310	127	40	36	307	64	1403	1368	4010

Note: A request for information could be rejected under more than one provision.



Table 4

**Disposal of Appeals by First Appellate Authorities filed under
Sec.19(1) of the Act**

[Source: Reports from Departments]

Sl. No.	Name of the Department	First Appeals pending with Appellate authorities at the beginning of the year	No of First Appeals received by Appellate authorities during the Year	Total No of First Appeals with Appellate Authorities	No of First Appeals Disposed by Appellate authorities	No of First Appeals pending with FAAs
1	2	3	4	5	6	7
1	Agriculture & Horticulture Department	10	238	248	237	11
2	Animal Husbandry & Fisheries Department	0	0	0	0	0
3	Chief Electoral Officer & Ex-Officio Principal Secretary to Government, D.P.A.R. (Elections)	0	12	12	12	0
4	Commerce & Industries Department	52	217	269	245	24
5	Co-operation Department	15	152	167	145	22
6	Department of Personnel & Administrative Reforms	617	308	925	342	583
7	Education Department (Primary & Sec, Higher)	20	678	698	655	43
8	Energy Department	12	513	525	499	26
9	Finance Department	22	617	639	593	46
10	Food & Civil Supplies Department	6	117	123	113	10
11	Forest, Environment Department	4	153	157	155	2
12	Governor's Secretariat	0	18	18	18	0
13	Health, Family Welfare & Medical Education Department	1	1546	1547	1520	27
14	Home Department	4	1238	1242	1190	52
15	Housing Department	4	272	276	209	67
16	Information Bio-technology, Science & Technology Department	0	0	0	0	0
17	Infrastructure Development Department	0	5	5	5	0
18	Kannada, Culture, Information, Publicity & Tourism Department	0	92	92	92	0



Sl. No.	Name of the Department	First Appeals pending with Appellate authorities at the beginning of the year	No of First Appeals received by Appellate authorities during the Year	Total No of First Appeals with Appellate Authorities	No of First Appeals Disposed by Appellate authorities	No of First Appeals pending with FAAs
19	Karnataka Legislative Assembly and Council Secretariats	1	15	16	7	9
20	Law & Human Rights Department	14	89	103	100	3
21	Labour Department	7	242	249	242	7
22	Parliamentary affairs & Legislation Department	0	0	0	0	0
23	Planning & Statistics Department	0	0	0	0	0
24	Public Enterprises Department	0	0	0	0	0
25	Public Works Department & National Highways	11	451	462	446	16
26	Revenue Department	1782	6719	8501	7839	662
27	Rural Development & Panchayat Raj Department	497	9028	9525	9136	389
28	Social Welfare & Backward Classes Welfare Department	26	575	601	578	23
29	Transport Department	64	840	904	804	100
30	Urban Development Department	684	1604	2288	1078	1210
31	Water Resources Department	9	76	85	72	13
32	Women & Child Welfare Department	0	5	5	5	0
33	Youth Empowerment & Sports Department	0	10	10	10	0
TOTAL		3862	25830	29692	26347	3345



Table 5
Summary of Fees Collected by Public Authorities

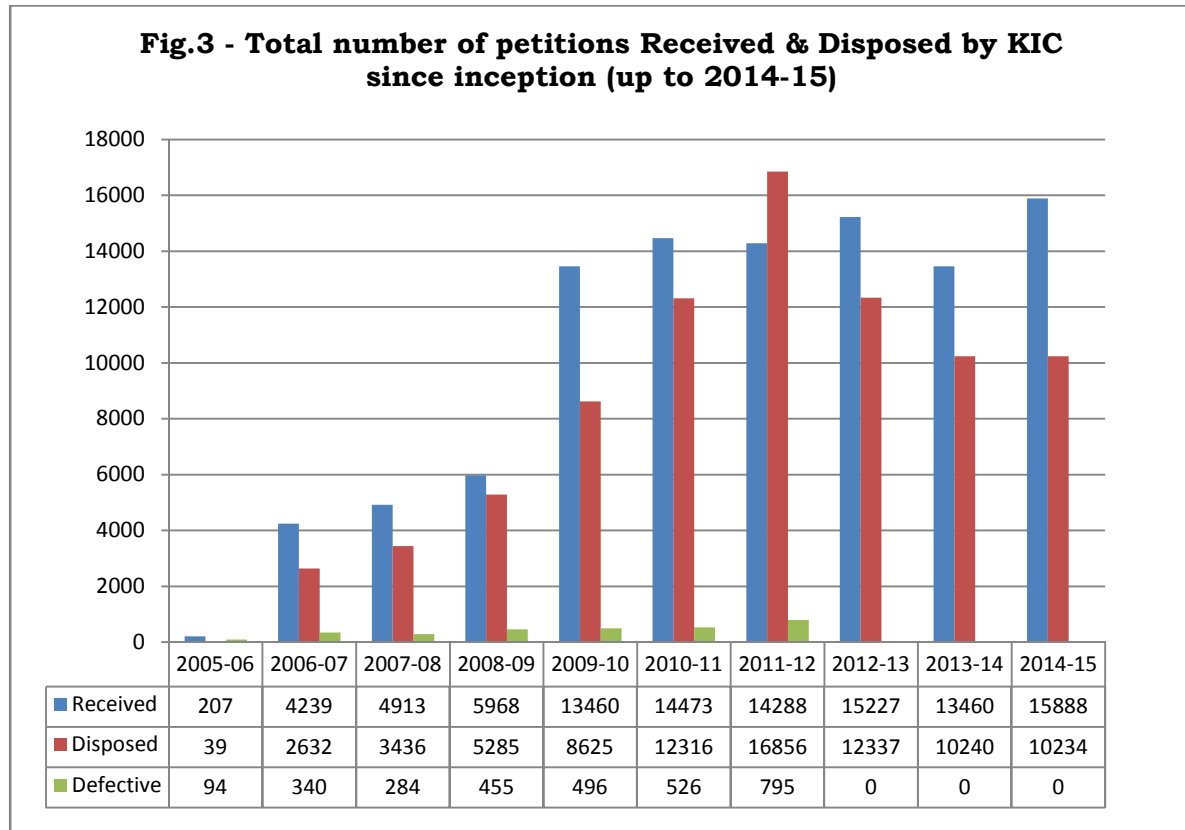
[Source: Reports from Departments]

Sl. No.	Name of Department	Total Collection Amt. in ₹.
1	2	3
1	Agriculture & Horticulture Department	1,30,250.00
2	Animal Husbandry & Fisheries Department	29,100.00
3	Chief Electoral Officer & Ex-Officio Principal Secretary to Government, D.P.A.R.(Elections)	2,160.00
4	Commerce & Industries Department	3,82,957.00
5	Co-operation Department	1,41,932.00
6	Department of Personnel & Administrative Reforms	4,39,618.00
7	Education Department (Primary & Sec, Higher)	3,27,951.00
8	Energy Department	1,68,944.00
9	Finance Department	1,19,737.00
10	Forest, Environment Department	2,08,009.00
11	Food & Civil Supplies Department	25,384.00
12	Governor's Secretariat	3,120.00
13	Health, Family Welfare & Medical Education Department	61,623.00
14	Home Department	2,95,640.00
15	Housing Department	1,04,697.00
16	Information Bio-technology, Science & Technology Department	2,945.00
17	Infrastructure Development Department	260.00
18	Kannada, Culture, Information, Publicity & Tourism Department	12,818.00
19	Karnataka Legislative Assembly and Council Secretariats	24,857.00
20	Law & Human Rights Department	40,744.00
21	Labour Department	25,194.00
22	Parliamentary affairs & Legislation Department	340.00
23	Planning & Statistics Department	3,166.00
24	Public Enterprises Department	170.00
25	Public Works Department & National Highways	2,00,567.00
26	Revenue Department	19,82,613.00
27	Rural Development & Panchayat Raj Department	8,30,881.00
28	Social Welfare & Backward Classes Welfare Department	53,705.00
29	Transport Department	2,56,075.00
30	Urban Development Department	6,42,889.00
31	Water Resources Department	1,74,833.00
32	Women & Child Welfare Department	41,660.00
33	Youth Empowerment & Sports Department	2,631.00
GRAND TOTAL		67,37,473.00



Commission Statistics:

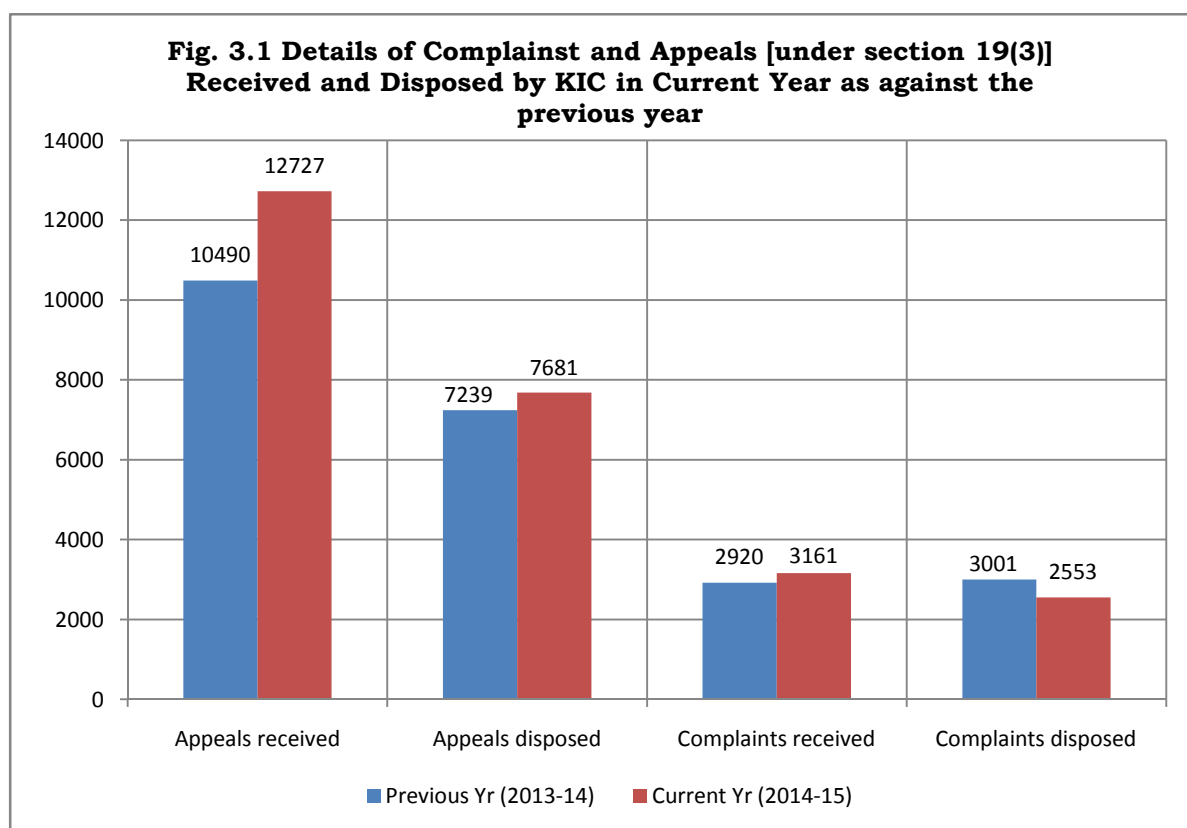
4.17.1 The total number of Complaints and Appeals filed before the Commission, since its inception, is 1,02,123 and the total disposal also is 81,000. The year-wise details are given in Fig. 3 below.



The total number of complaints received were 3161. The number of complaints disposed were 2553 which includes back log cases. Similarly the total number of Appeals received were 12727 and Appeals disposed were 7681 which includes back log cases.



4.17.2 Fig 3.1 shows the emerging trend during 2014-15.



4.17.3 The figures below show the percentile distribution of receipts and disposals.

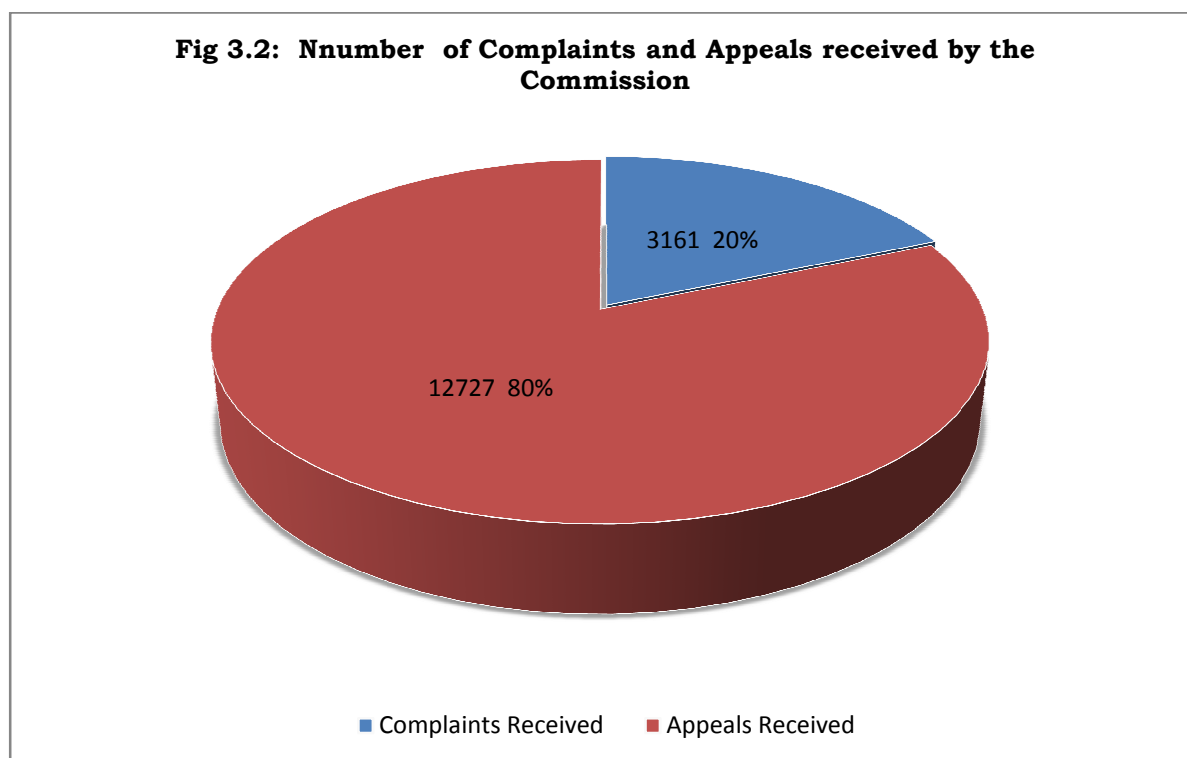
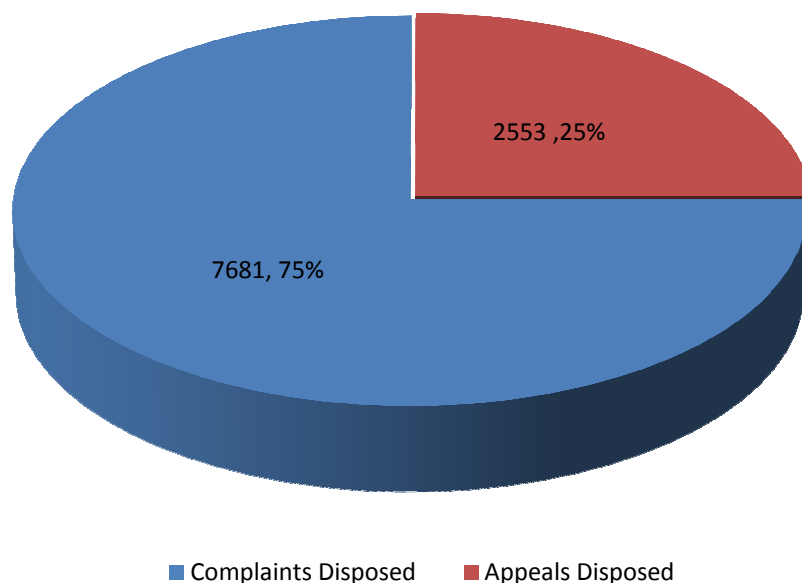


Fig 3.3: Nnumber of Complaints and Appeals Disposed by the Commission



4.19 Disposal of Complaints by the Commission (Section 18(1)):

4.19.1 Year-wise details of complaints (since inception) received & disposed under section 18(1) are shown below:

Fig. 3.4 Year wise number of Complaints Received & Disposed under Sec 18(1) by KIC during the last 10 Year

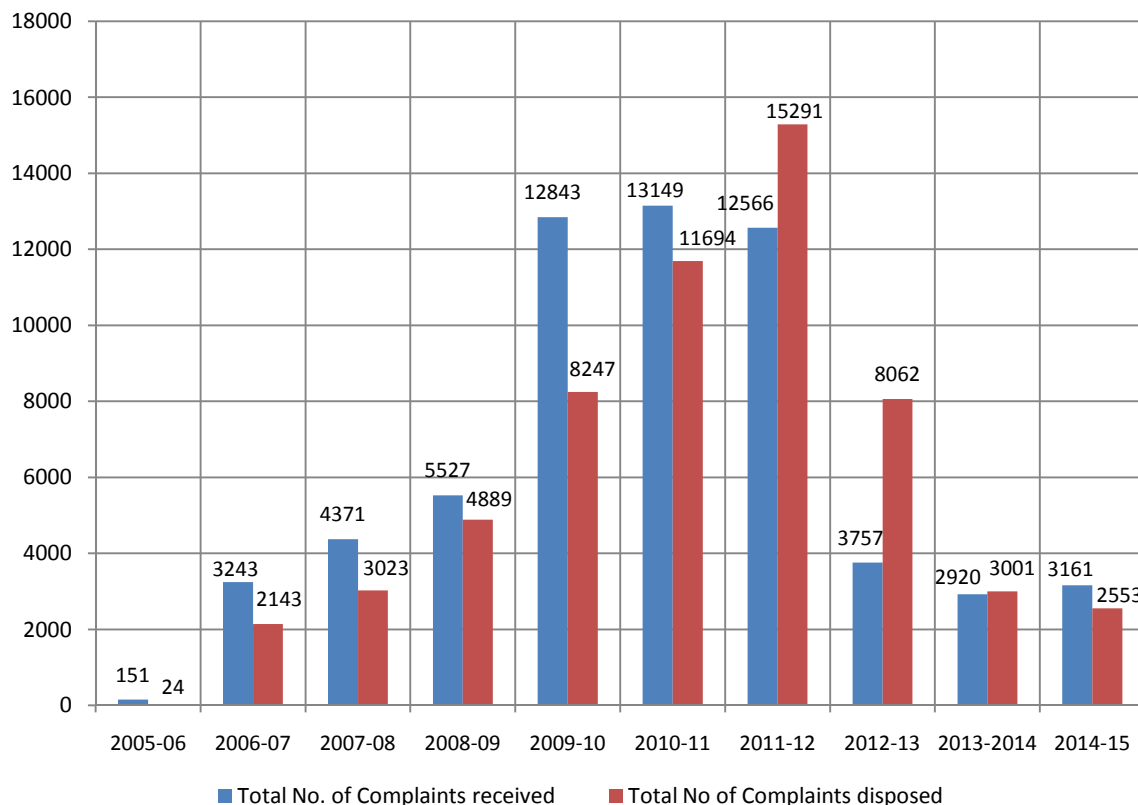




Table 6

Disposal of Complaints by the Commission (department-wise) under section 18(1)

Sl. No.	Name of the Department	No of Complaints pending at the end of last year	No of Complaints received during the year	Total No of Complaints	No of Complaints Disposed	No of Complaints pending
1	2	3	4	5	6	7
1	Agriculture & Horticulture Department	29	49	78	22	56
2	Animal Husbandry & Fisheries Department	04	22	26	14	12
3	Chief Electoral Officer & Ex-Officio Principal Secretary to Government, D.P.A.R. (Elections)	04	00	04	01	03
4	Commerce & Industries Department	00	52	52	20	32
5	Co-operation Department	56	59	115	70	45
6	Department of Personnel & Administrative Reforms	00	21	21	16	05
7	Education Department (Primary & Sec, Higher)	238	247	485	207	278
8	Energy Department	05	47	52	17	35
9	Finance Department	33	12	45	22	23
10	Food & Civil Supplies Department	08	11	19	14	05
11	Forest, Environment Department	05	50	55	43	12
12	Governor's Secretariat	13	04	17	01	16
13	Health, Family Welfare & Medical Education Department	00	73	73	52	21
14	Home Department	239	175	414	146	268
15	Housing Department	00	08	08	02	06
16	Information Science, Bio-tech. & Science & Technology Department	06	03	09	01	08
17	Infrastructure Development Department	14	07	21	04	17
18	Kannada, Culture, Information, Publicity & Tourism Department	20	09	29	11	18
19	Karnataka Legislative Assembly and Council Secretariats	06	00	06	00	06
20	Labour Department	04	13	17	17	00
21	Law & Human Rights Department	00	18	18	12	06
22	Parliamentary Affairs & Legislation Department	04	00	04	00	04
23	Planning & Statistics Department	06	01	07	00	07
24	Public Enterprises Department	01	00	01	00	01
25	Public Works Department & National Highways	60	44	104	24	80
26	Revenue Department	352	644	996	459	537
27	Rural Development & Panchayat Raj Department	235	734	969	613	356
28	Social Welfare & Backward Classes Welfare Department	17	78	95	41	54
29	Transport Department	59	29	88	32	56
30	Urban Development Department	599	665	1264	600	664
31	Water Resources Department	47	57	104	57	47
32	Women & Child Welfare Department	34	17	51	21	30
33	Youth Empowerment & Sports Department	10	12	22	14	08
TOTAL		2108	3161	5269	2553	2716



4.20 Disposal of Second Appeals by the Commission (Section 19(3):

4.20.1 The figure below shows the number of second appeals received and disposed since inception of the Commission (2005-06 to 2014-15).

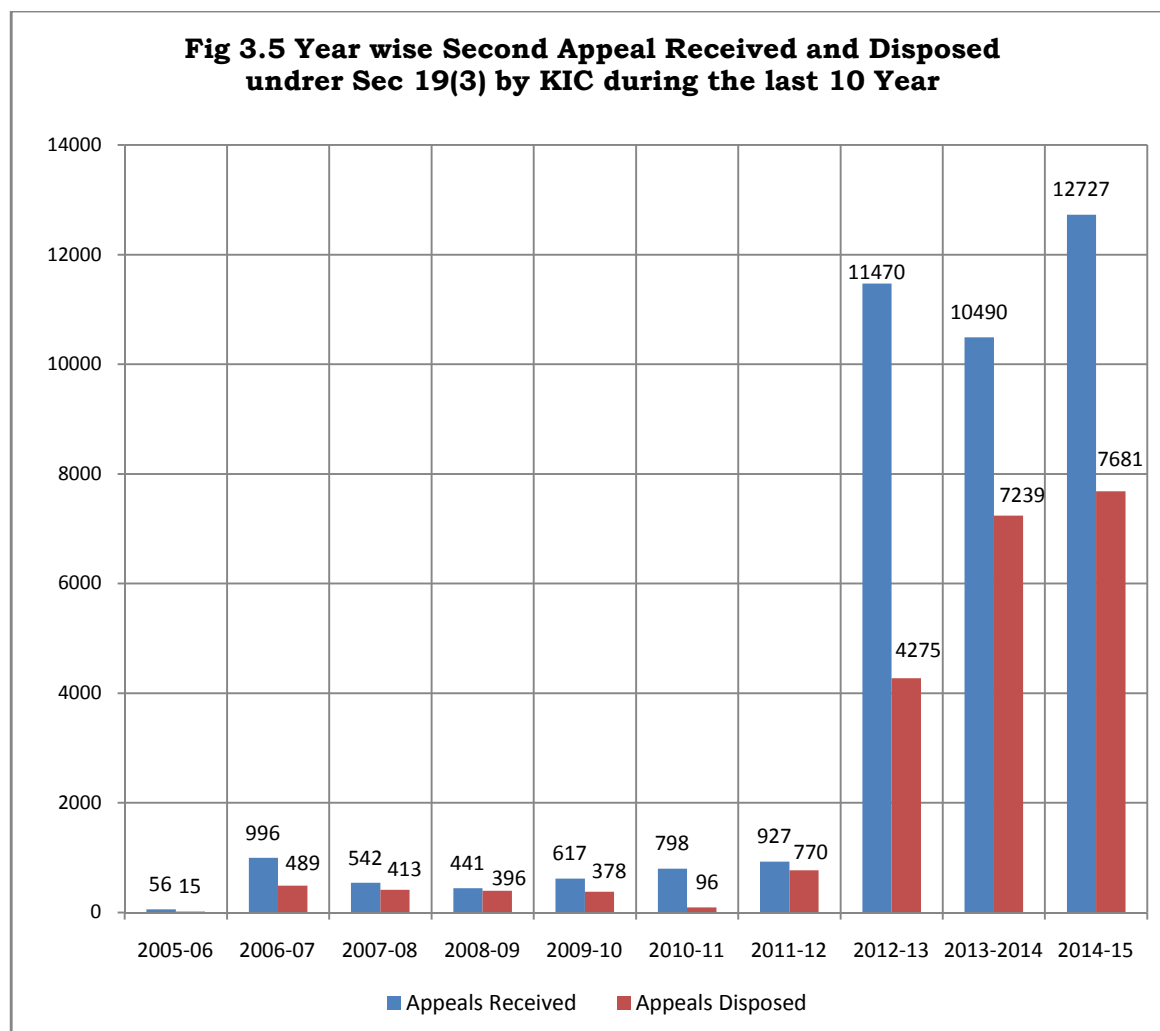




Table 7
Disposal of Second Appeals by the Commission (department-wise)
under section 19(3)

Sl. No	Name of the Department	No of Second Appeals pending in the Commission at end of last Year	No of Second Appeals received during the Year	Total No of Second Appeals	No of Second Appeals Disposed	No. of Second Appeals Pending
1	2	3	4	5	6	7
1	Agriculture & Horticulture Department	102	114	216	75	141
2	Animal Husbandry & Fisheries Department	30	45	75	20	55
3	Chief Electoral Officer & Ex-Officio Principal Secretary to Government, D.P.A.R.(Elections)	06	10	16	03	13
4	Commerce & Industries Department	106	359	465	85	380
5	Co-operation Department	305	137	442	144	298
6	Department of Personnel & Administrative Reforms	152	128	280	92	188
7	Education Department (Primary & Sec, Higher)	734	710	1444	461	983
8	Energy Department	101	125	226	73	153
9	Finance Department	99	52	151	53	98
10	Forest, Environment Department	128	146	274	109	165
11	Food & Civil Supplies Department	100	30	130	56	74
12	Health & Family Welfare Department	37	129	166	163	03
13	Home Department	474	490	964	371	593
14	Housing Department	467	09	476	25	451
15	Information Bio-technology, Science & Technology Department	37	04	41	06	35
16	Infrastructure Development Department	01	57	58	09	49
17	Governor's Secretariat	15	19	34	03	31
18	Kannada, Culture, Information, Publicity & Tourism Department	54	36	90	29	61
19	Karnataka Legislative Assembly and Council Secretariats	12	02	14	01	13
20	Labour Department	57	35	92	37	55
21	Law & Human Rights Department	92	80	172	52	120
22	Parliamentary affairs & Legislation Department	01	02	03	00	03
23	Planning & Statistics Department	04	02	06	01	05
24	Public Enterprises Department	00	07	07	00	07
25	Public Works Department & National Highways	111	143	254	95	159
26	Revenue Department	3663	2964	6627	1615	5012
27	Rural Development & Panchayat Raj Department	2685	2791	5476	1796	3680
28	Social Welfare & Backward Classes Welfare Department	197	505	702	148	554
29	Transport Department	182	262	444	132	312
30	Urban Development Department	3000	3107	6107	1810	4297
31	Water Resources Department	167	150	317	122	195
32	Women & Child Welfare Department	101	43	144	69	75
33	Youth Empowerment & Sports Department	43	34	77	26	51
Total		13263	12727	25990	7681	18309



CHAPTER – V

**IMPLEMENTATION OF SECTIONS 4(1)(a) AND 4(1)(b) OF THE
ACT BY DEPARTMENTS DURING THE YEAR 2014-15**





CHAPTER – V

IMPLEMENTATION OF SECTIONS 4(1)(a) AND 4(1)(b) OF THE ACT BY DEPARTMENTS DURING THE YEAR 2014-15

5.1 Section 4 of the Act mandates every Public Authority to discharge certain obligations which are as follows:

Section 4: Obligations of public authorities

4(1) Every public authority shall:

4(1)(a) *maintain all its records duly catalogued and indexed in a manner and the form which facilitates the right to information under this Act and ensure that all records that are appropriate to be computerised are, within a reasonable time and subject to availability of resources, computerised and connected through a network all over the country on different systems so that access to such records is facilitated;*

4(1)(b) *publish within one hundred and twenty days from the enactment of this Act,-*

- (i) the particulars of its organisation, functions and duties;*
- (ii) the powers and duties of its officers and employees;*
- (iii) the procedure followed in the decision making process, including channels of supervision and accountability;*
- (iv) the norms set by it for the discharge of its functions;*
- (v) the rules, regulations, instructions, manuals and records, held by it or under its control or used by its employees for discharging its functions;*
- (vi) a statement of the categories of documents that are held by it or under its control;*
- (vii) the particulars of any arrangement that exists for consultation with, or representation by, the members of the public in relation to the formulation of its policy or implementation thereof;*
- (viii) a statement of the boards, councils, committees and other bodies consisting of two or more persons constituted as its part or for the purpose of its advice, and as to whether meetings of those boards, councils, committees and other bodies are open to the public, or the minutes of such meetings are accessible for public;*
- (ix) a directory of its officers and employees;*
- (x) the monthly remuneration received by each of its officers and employees, including the system of compensation as provided in its regulations;*
- (xi) the budget allocated to each of its agency, indicating the particulars of all plans, proposed expenditures and reports on disbursements made;*



- (xii) *the manner of execution of subsidy programmes, including the amounts allocated and the details of beneficiaries of such programmes;*
 - (xiii) *particulars of recipients of concessions, permits or authorisations granted by it;*
 - (xiv) *details in respect of the information, available to or held by it, reduced in an electronic form;*
 - (xv) *the particulars of facilities available to citizens for obtaining information, including the working hours of a library or reading room, if maintained for public use;*
 - (xvi) *the names, designations and other particulars of the Public Information Officers;*
 - (xvii) *such other information as may be prescribed; and there after update these publications every year;*
- 4(1)(c) *publish all relevant facts while formulating important policies or announcing the decisions which affect public;*
- 4(1)(d) *provide reasons for its administrative or quasi-judicial decisions to affected persons.*
- Sec 4(2) It shall be a constant endeavour of every public authority to take steps in accordance with the requirements of clause (b) of sub-section (1) to provide as much information Suo-Motto to the public at regular intervals through various means of communications, including internet, so that the public have minimum resort to the use of this Act to obtain information.
- 5.2 In pursuance of the decision taken by the State High Level Committee in its meeting held on 19.05.2012, Circular bearing No.DPAR 44 RTI 2009, dated 13.08.2012, was issued constituting the following Committee to monitor and review the progress of implementation of Section 4 of the Act:
- | | |
|--|----------------|
| Additional Chief Secretary to Government | - Chair Person |
| Principal Secretaries/Secretaries to Government of the concerned Department | - Member |
| Heads of Department/Managing Directors of Departments/Corporations/Boards under the control of the Administrative Departments. | - Member |
| Principal Secretary to Government, D.P.A.R. (A.R. Janaspandhana Kosha) | - Convener |
- 5.3 In Letter no:DPAR:64:RTI:2015, dated 23-05-2015 the Under Secretary, DPAR (Janaspandana), has informed that during the year the Committee has examined the implementation of section 4 of the RTI Act by the following departments:



- (1) Education Department
- (2) Rural Development and Panchayat Raj Department
- (3) Revenue Department
- (4) Home Department
- (5) Urban Development Department

- 5.4 During visits to districts the Commission has observed that many Public Authorities are yet to prepare and publish the catalogue of files under section 4(1) (a). Some Public Authorities have scanned the files, but the catalogue of files is yet to be prepared. Some other Public Authorities have prepared the catalogue of files but citizens cannot access it since it is not published on the website of the concerned Public Authority. The Commission has also observed that the information published by many public Authorities, under section 4(1) (b), is very perfunctory **though there is a statutory obligation on them to provide as much information suo moto to the public at regular intervals.**
- 5.5 The Commission suggests that the DPAR (Janaspandana) may request the concerned Administrative Department to prepare the list of all Public Authorities under its administrative control and indicate against each Public Authority the date of preparation of 4(1) (a) and 4(1) (b) information, the dates on which it has been revised and published on the website of the Public Authority. DPAR (Janaspandana) may then do a random test check of the information published on the website and place its comments before the committee. This will enable the committee to make a meaningful review and guide the departments, in effectively discharging the statutory obligations cast on the Public Authority, under section 4 of the RTI Act, both in letter and spirit.





CHAPTER – VI

ACCOUNTS OF THE COMMISSION





CHAPTER – VI

ACCOUNTS OF THE COMMISSION

Annual accounts of Karnataka Information Commission for the year 2014-15

6.1 The Government of Karnataka is releasing funds through budget allocations to the Commission, under Head of Account “2251-00-090-003 – Non-Plan” to meet the administrative and other expenses. During the year the Commission received a sum of Rs 625.70 Lakhs and spent Rs 427.06 Lakhs.

6.2 The Statement of Receipts and Expenditure is as follows:

Receipts:

(₹.in lakhs)

Budget Allocation	Head of Accounts	Total
1.Pay-Officers	2251-00-090-003-02	58.92
2.Pay-Staff	2251-00-090-003-03	36.65
3.Interiem Relief	2251-00-090-003-004	-----
4.Dearness Allowance	2251-00-090-003-011	25.80
5.Other Allowance	2251-00-090-003-014	194.81
6.Medical Allowance	2251-00-090-003-020	0.97
7.Reimbursement of Medical expenses	2251-00-090-003-021	5.46
8.Travel Expenses	2251-00-090-003-041	30.00
9.General Expenses	2251-00-090-003-051	152.57
10.Telephone Charges	2251-00-090-003-052	10.00
11.Machinery & Equipment	2251-00-090-003-180	45.00
12.Transport expenses	2251-00-090-003-195	18.72
13.Building Expenses	2251-00-090-003-071	46.80
Total		625.70

Expenditure:

(₹. In Lakhs)

Expenditure incurred by the Commission	Head of Accounts	Total Expenses
1.Pay-Officers	2251-00-090-003-02	47.72
2.Pay-Staff	2251-00-090-003-03	45.37
3.Interiem Relief	2251-00-090-003-004	-----
4.Dearness Allowance	2251-00-090-003-011	76.87
5.Other Allowance	2251-00-090-003-014	43.62
6.Medical Allowance	2251-00-090-003-020	0.05
7.Reimbursement of Medical expenses	2251-00-090-003-021	0.16
8.Travel Expenses	2251-00-090-003-041	2.57
9.General Expenses	2251-00-090-003-051	144.08
10.Telephone Charges	2251-00-090-003-052	2.55
11.Machinery & Equipment	2251-00-090-003-180	1.92
12.Transport expenses	2251-00-090-003-195	17.25
13.Building Expenses	2251-00-090-003-071	42.1
14.Retritement Benefits	2251-00-090-003-251	2.80
Total		427.06





CHAPTER – VII

RECOMMENDATIONS





CHAPTER – VII

RECOMMENDATIONS:

- 7.1 The following recommendations, requiring amendment to the RTI Act, are proposed for consideration of the State Government and recommending to the Central Government.
- 7.2 **Head of office to be deemed as PIOs on failure of the Public Authority to notify**
Some Public Authorities have failed to notify the PIOs of field level offices making it difficult for the citizens to apply to the correct PIO and later approach the appropriate First Appellate Authority. In all such cases the Head of Office may be considered to be PIOs and the Head of the next higher office as First Appellate Authority.
- 7.3 **Need to define fiduciary relationship mentioned in Sec 8(1) (e) of the Act**
This needs to be done for the benefit of citizens seeking information, the PIOs and Appellate Authorities under the Act.
- 7.4 **Applicants to provide details for invoking the life and liberty provision**
Many applicants invoke the proviso to section 7 (1) for seeking information within 24 hours. Since no details are provided by the applicant, in justification of his request, it is difficult for the PIOs and Appellate Authorities to consider such requests. Hence it may be necessary to make mandatory for the appellant, seeking to invoke this provision, to provide sufficient justification in support of his request.
- 7.5 **Successor PIO to be made liable for imposition of penalty for not providing the information within 30 days of taking charge**
At present only the PIOs as on the date of request for information, can be penalized under section 20 (1) and recommended for disciplinary action under section 20(2) of the Act. Since the PIOs keep on changing, due to transfer, retirement etc., it is necessary that the succeeding PIOs should be made responsible for providing information, in all pending applications, within 30 days of taking charge failing which the provision of sec 20 (1) and section 20(2) could be invoked against them. The Act maybe amended accordingly.
- 7.6 **To substitute the word “complainant” by the word “appellant” in section 19 of the RTI Act.**
Since the section relates to appeals the word “complainant” in section 19 (8) (b) and section 19 (9) may be substituted by the word “appellant”



7.7 To delete the words “including any right of appeal” in section 19 (9) of the Act

Since the Act does not provide for any appeal against the orders of the Commission the words **“including any right of appeal” may be deleted.**

7.8 Insertion of new provision to provide for abatement of complaints/ appeals

In the event of death of complainant or appellant, the complaint or appeal, as the case may be, shall stand abated.

7.9 To provide time limit for filing complaints

The period within which complaints, under section 18, are to be filed has not been stipulated as a result of which complaints are being filed, even after lapse of several years, leading to abuse of the process of the Commission.

7.10 To provide for second appeal to the Commission only against the order of the First Appellate Authority

Normally, under all laws, second appeal lies only against the order passed by the First Appellate Authority. Hence it should be made mandatory for the First Appellate Authority to pass orders within the prescribed time and also make a provision to enable the First Appellate Authority to enforce its order if the PIOs fails to comply within the time limit set by it.

7.11 Act to provide for vacancy in the Office of the Chief Information Commissioner

The Act may be amended to provide that when the office of the State Chief Information Commissioner or the Central Chief Information Commissioner, as the case may be, is vacant or a person occupying such office is, by reason of absence or otherwise, unable to perform the duties of his office, these shall be performed by the senior most Commissioner of the State Information Commission or the Central Information Commission, as the case may be.

7.12 To Substitute the word “Appeal” in the place of the word “review” in sub clause (e) of clause (ii) of section 10

The Act does not have any provision for review or revision. It provides only for appeals under section 19. Hence this amendment is proposed.



ANNEXURE





Physical Report of RTI Workshop/Training Programmes for the Year 2014-15 by Administrative Training Institute

(Source: ATI Mysore)

Sl.No	Topic	No. of Participants	Target Group	Course Coordinator	Date of Programme
1	Organization of Workshop/ Seminars (Divisional Training on best Practices on RTI & Suo Motu disclosure section 4(1)(a)(b) Place of course conducted: (Off-Campus- Zilla Adhalitha Bhavana, Bagalkot)	156	180	B.K Manjunath Consultant (PPP)	21.11.2014
2	ToT improving Transparency and Accountability in Govt., through effective implementation of RTI Act.	23	30	B.K Manjunath Consultant (PPP)	26.12.2014 27.12.2014