



## Performance of Information Commissions in India 2022-23

**For Prelims:** [Right to Information \(RTI\) Act, 2005](#), [Central Information Commission \(CIC\)](#), [State Information Commission \(SIC\)](#), [Satark Nagrik Sangathan](#), [Chief Election Commissioner](#)

**For Mains:** Transparency & Accountability, Right to Information, Issues Related to Women in Workforce

[Source: TH](#)

### Why in News?

Recently, a report titled **“Report Card on the Performance of Information Commissions (ICs) in India, 2022-23”** by **Satark Nagrik Sangathan (SNS)** has revealed alarming statistics regarding **gender representation** and other **operational aspects** of these commissions based on an analysis of information accessed under the [Right to Information \(RTI\) Act, 2005](#) from **29 information commissions across India**.

- SNS is an Indian non-governmental organization (NGO) promoting transparency and accountability, empowering citizens in democracy.

### What are the Key Highlights of the Report?

- **Gender Disparity in Information Commissions:**
  - **Representation of Women:**
    - **Only 9%** of all Information Commissioners across the country are women, highlighting a significant gender disparity.
  - **Leadership Roles:**
    - Merely **5% of ICs have been headed by women**, and currently, none of them is led by a female commissioner.
  - **States Without Female Commissioners:**
    - **12 ICs**, constituting approximately 41%, **have never had a female commissioner** since their establishment.
    - These states include Andhra Pradesh, Bihar, Chhattisgarh, Himachal Pradesh, Madhya Pradesh, Manipur, Meghalaya, Mizoram, Sikkim, Telangana, Uttarakhand, and West Bengal.
- **Background of Information Commissioners:**
  - **Retired Government Officials:**
    - Around 58% of ICs surveyed have a background as retired government officials.
  - **Legal Professionals:**
    - Approximately 14% of commissioners are lawyers or former judges, contributing to the diverse background of Information Commissions.
- **Functioning of Information Commissions:**
  - **Case Disposal Rates:**
    - Several ICs return a large number of cases without passing any orders, with the [Central Information Commission](#) and some **State Information Commissions**

returning **41% of received appeals or complaints.**

- **Low Disposal Rates:**
  - Despite a high number of pending cases, some commissions have low **disposal rates per commissioner**, indicating potential **inefficiencies in case management.**
- **Vacancies and Appointments:**
  - Lack of **timely and transparent appointments** is a significant issue, leading to several Commissions operating at reduced capacity and without a chief.
- **Defunct Commissions:**
  - The **State Information Commissions** of Jharkhand, Telangana, and Tripura are **defunct due to the absence of new appointments**, affecting their ability to function effectively.
- **Transparency Issues:**
  - The functioning of Information Commissions was found to be largely opaque, with only **8 out of 29 ICs stating that their hearings are open** for public attendance, highlighting transparency concerns.

## What is the Central and State Information Commission?

- The Central Information Commission and State Information Commissions are **statutory bodies** established under the **Right to Information Act, 2005.**
- **Central Information Commission:**
  - **Constitution:**
    - Constituted by the Central Government via Gazette Notification.
    - Includes **1 Chief Information Commissioner (CIC)** and up to **10 Information Commissioners (IC)** appointed by the President.
    - Oath administered by the **President** as per the **First Schedule.**
  - **Eligibility and Appointment Process for CIC/IC:**
    - Candidates must be eminent in public life with expertise in various fields.
    - **Cannot hold political office or any other office of profit.**
    - The Appointment Committee comprises the Prime Minister (Chair), the Leader of the Opposition in Lok Sabha, and one Union Cabinet Minister nominated by the PM.
  - **Term and Service Conditions of CIC and IC:**
    - CIC and IC hold office for a **5-year term or until age 65**, whichever is earlier (**not eligible for reappointment**).
    - CIC salary equivalent to **Chief Election Commissioner.**
    - IC Salary same as **Election Commissioner.**
    - **IC eligible for appointment as CIC** but limited to a total of five years, including the term as IC.
- **State Information Commission:**
  - **Constitution of SIC:**
    - Constituted by the State Government through Gazette notification.
    - Includes 1 State Chief Information Commissioner (SCIC) and up to 10 State Information Commissioners (SIC) appointed by the Governor.
  - **Eligibility and Appointment Process for SCIC/SIC:**
    - The qualifications for appointment as SCIC/SIC shall be the **same as that for Central Commissioners.**
    - The Appointments Committee will be headed by the Chief Minister. Other members include the Leader of the Opposition in the Legislative Assembly and one Cabinet Minister nominated by the Chief Minister.
    - The salary of the **SCIC will be the same as that of an Election Commissioner.** The salary of the SIC will be the same as that of the Chief Secretary of the State Government.
- **Powers and Functions of Information Commissions:**
  - Duty to receive complaints regarding information requests and non-compliance.
  - Power to order inquiry based on reasonable grounds.
  - Authority akin to a Civil Court for summoning persons, requiring evidence, etc.
  - Ensures compliance with decisions, including penalties for non-compliance.
  - The Central Information Commission can exercise powers and perform functions

autonomously without being subjected to directions by any other authority.

▪ **Location:**

- The headquarters of the Central Information Commission is in **Delhi**, with the authority to establish offices in other places in India with the Central Government's prior approval.

## Way Forward

- **Ensure fair, transparent, and inclusive selection** processes for commissioners, with due representation to women and marginalised groups.
- Provide adequate **resources and infrastructure** to improve case disposal rates and efficiency, adhering to norms prescribed by the RTI Act and Supreme Court.
- **Timely and transparent appointments**, widely advertised vacancies, and revival of defunct commissions to fill vacancies and ensure each IC is headed by a chief commissioner.
- Enhance **transparency and accountability by publishing annual reports**, disclosing budgets and expenditures, and making hearings open for public attendance.

## UPSC Civil Services Examination, Previous Year Question (PYQ)

### ***Mains:***

**Q.** The Right to Information Act is not all about citizens' empowerment alone, it essentially redefines the concept of accountability." Discuss. **(2018)**

PDF Reference URL: <https://www.drishtiias.com/printpdf/performance-of-information-commissions-in-india-2022-23>