

## Court notice on vacancies in information panels

The Supreme Court on Monday directed the Centre and eight State governments to respond to a petition highlighting that a large number of vacancies in the Central Information Commission and the State Information Commissions have crippled the Right to Information Act and resulted in huge backlog.

A Bench led by Justice A.K. Sikri issued notice to the Centre and Maharashtra, Kerala, Andhra Pradesh, West Bengal, Telangana, Karnataka, Odisha and Gujarat.

Justice Sikri asked Additional Solicitor-General Pinky Anand why appointments were not made despite the backlog.

Advocates Kamini Jaiswal and Pranav Sachdeva, appearing for petitioners Anjali Bhardwaj, Commodore (retired) Lokesh Batra and Amrita Joshi, argued that the Centre and the State governments have attempted "to stifle the functioning of the RTI Act by failing to do their statutory duty of ensuring appointment of commissioners in the Central Information Commission and State Information Commissions, in a timely manner".

The petition said that due to non-appointment of information commissioners, several information commissions take many months, and in some cases even years, to decide on appeals and complaints due to accumulation of pending appeals/complaints, defeating the entire object of the RTI Act, 2005.

Currently, there are four vacancies in the Central Information Commission, though more than 23,500 appeals and complaints are pending.

The Andhra Pradesh Commission is completely non-functional as not a single information commissioner has been appointed.

### **Big backlog**

The Maharashtra Commission which has a backlog of more than 40,000 appeals and complaints, has four vacancies.

The Kerala Commission is functioning with only a single commissioner and has more than 14,000 pending appeals and complaints.

Similarly, there are six vacancies in the Karnataka Commission even though nearly 33,000 appeals and complaints are pending.

Odisha is functioning with only three commissioners and Telangana with two commissioners and their backlogs are more than 10,000 and 15,000 appeals/complaints, respectively.

The West Bengal Commission is functioning with only two commissioners and is currently hearing appeals/complaints filed 10 years ago.

The effective functioning of information commissioners, the final adjudicators under the RTI Act, is critical for the health of the transparency regime in the country, the petition said.

***Governments had tried to stifle the functioning of the RTI Act by failing to appoint commissioners***

**Petition**

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