

Methodology note for survey of competent authorities

Coverage:

- a. Central government (related ministry/department - DoPT)
- b. State government (related Ministry/Department) – administrative reforms.
- c. High courts.
- d. Supreme court
- e. State legislative assemblies/councils
- f. Parliament

To determine:

1. Have they fulfilled their responsibilities as mandated by the Act?
2. What proactive initiatives have they taken?
3. What have they done to promote the Act?
4. What support have they provided to public authorities?
5. What problems have they faced?

The analysis will focus on all states- however as far as CSDS involvement is concerned they will interview CA's of only the 10 sample states.

There are 21 High Courts- all high courts, supreme court, legislative assemblies/council and the parliament will be covered. CSDS will only interview concerned/relevant officials in these institutions for the 10 sample states.

Documents:

- a. We have collected copies of 16 state HC rules – the remaining 4 HC's (Uttarakhand/Guwahati/MP/ Sikkim) we are in the process of acquiring.
- b. All state RTI rules have been collected.
- c. RTI Rules for the Parliament and Legislative Assemblies of 5 states have been collected.

Methodology:

1. The methodology will be primarily that of desk analysis.
2. In addition, RTI applications to know status of RTI rules in various state legislative assemblies are drafted and ready to be filed.
 - a. RTI applications for all state departments in-charge of implementing RTI is also ready. This has been drafted to collect various orders, circulars, notifications, minutes of meetings, guides and any other document related to general implementation or compliance with S4 of the RTI act.
3. Along with RTI's a revised version of the CA's format has also been structured into a 2-3 page short questionnaire. This questionnaire along with a covering note is ready to be sent out to all state departments in charge of implementing RTI.

- a. The list of some of the state departments have also been collected through the DoPT. A final list is awaited with contact details.
4. In addition to all of the above, CSDS will use the CA's format to interview:
 - a. HoD's of state departments in charge of implementing RTI in each of the 10 sample States
 - b. The registrar general of the high court
 - c. The registrar general of the supreme court
 - d. Secretary (general) of both house of Parliament (one of the 3 will be interviewed)
 - e. Secretary (general) of the state assembly (in each of the 10 sample states)

List of documents to be requested for at the end of the interview

1. Copies of rules and of the notification order
2. Copies of amended rules and of the notification order
3. Copies of sanction order for finances to make the Information Commission functional
4. Copies of appointment orders of Chief Information Commissioners and Information Commissioners
5. Copies of appointment/transfer/deputation orders for administrative and clerical staff of IC's
6. Copies of circulars:
 - a. General implementation of RTI Act 2004
 - b. Implementation of section 4
 - c. Appointment of PIOs and APIOs
7. Copies of guides in English, Hindi, any other regional language, if available
8. Copies of public advertisements issued to promote the RTI act
9. Copies of parliamentary/legislative questions and other queries on RTI
10. Details of grievance redressal mechanism/process regarding RTI matters

FORMAT

ASSESSMENT OF COMPETENT AUTHORITIES

Name and Address of Competent Authority

Name _____ Address _____

State _____ Pin _____
email _____ Tel: _____

Name and Designation of the Official Interviewed

Name _____ Designation _____

Address _____

State _____ Pin _____
email _____ Tel: _____

Date Line

Formulation of Rules

1. Date on which the rules were notified _____
(get a copy of the rules and of the notification order)
2. Date on which amended rules, If amended, were notified

(get a copy of the amended rules and of the notification order)

Appointment of Information Commissioners

3. Date of appointment of Chief Information Commissioner

_____ (get a copy of the appointment order)

4. Date of appointment of each of the Information Commissioners

_____ (get a copy of the appointment orders)

5. Date on which Information Commission office contact details were publicly advertised _____

(Get copy of advertisement/notification)

6. Dates when financial resources made available for making the Commission functional, _____

(Get a copy of the sanction order)

7. Dates when the administrative and clerical staff made available _____

(Get copies of appointment/transfer/deputation orders)

Section 4

8. Were any circulars asking Public Authorities to comply with section 4 sent out? If so, give the dates: _____

(Get copies of the circulars)

9. Have any steps been taken to monitor compliance, including seeking compliance reports and independent checking? Y/N

10. If Y, please describe the steps (get copies of relevant documents)

11. Dates on which compliance reports were sought (if sought) _____

12. Dates on which independent checks, if any, were carried out

13. Dates on which circulars, if any, have been issued to Public Authorities to update Section 4 _____

14. Dates on which compliance reports were sought (if sought) _____

Guides

15. Have any English language guides for PIOs been made?
(get a copy)

16. If yes, when were they published?

17. Are they priced?

18. What is the cost of the guide?

19. Have they been distributed to PIOs?

20. When were the guides distributed?
[Get documentation – circulars, dispatch orders etc]

21. Have these been made in local languages?
(get a copy)

22. If so, what languages?

23. When were they published?

24. Are they priced?

25. What is the cost?

26. Have they been distributed to PIOs?

27. When were the guides distributed?
[Get documentation – circulars, dispatch orders etc]

28. Training and educational programmes

Sl. No.	Title of Training /Educational Programmes Organised	Date	Types of participants attending (PIOs/ appellate/	Location	Collaboration (NGOs/ other govt dept./ Institutions – pl specify)
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			other govt servants/ NGOs/ Public/ others - pl specify)		

Promotion of the Act

34. How have you promoted the RTI Act (√ one or more): :

- a. Issuing public notices
- b. Television spots
- c. Radio spots
- d. Print advertisements
- e. Distributing pamphlets/leaflets

Others (please specify)

- f. _____
- g. _____
- h. _____

[Get details and, where relevant, copies.]

Monitoring

35. Dates on which circulars, if any were sent, informing all Public Authorities about the main provisions of the RTI Act 2005 _____

[Get a copy of the circular (s)]

36. Dates on which circulars, if any were sent, to Public Authorities asking them to appoint PIO's/ APIO's/ FAA _____

[Get a copy of the circular (s)]

37. Have you carried out any monitoring, statistical collection or analysis of RTI matters?

38. If yes, have these been done through in-house personnel or through consultants?

39. How often have these been carried out?
[Get copies/details]

40. Have you received any parliamentary/legislative questions and other queries (like audit queries) regarding RTI?

41. If yes, How many?
[Get copies and details]

42. Have you carried out any grievance redressal regarding RTI matters?
[Get copies/details]