

# Haryana

## 1. STATE FACTSHEET

<b>State Chief Information Commissioner</b>	G. Madhavan
<b>State Information Commissioners</b>	Asha Sharma Ashok Mehta Prem Veer Singh M.R. Ranga J.B.S. Yadav Meenaxi Anand Chaudhry
<b>Total Number of Cases Analysed by Us (as provided to us)</b>	1586
<b>Pendency as on January 1, 2008</b>	255
<b>Pendency as on December 31, 2008</b>	409
<b>Time Taken Between Filing of Appeal and First Hearing</b>	4 months
<b>Total Funds Spent by the Commission (FY 2008-09)</b>	Rs. 2,12,02000

## 2. STATE OF RECORDS:

Haryana information commission provided us copies of all their orders on a CD.

## 3. PERFORMANCE OF INFORMATION COMMISSION ON VARIOUS PARAMETERS

### a) Disposals: 23 cases disposed per commissioner per month

Haryana information commission had a pendency of 409 cases by the end of 2008.

### b) PRO-DISCLOSURE FACTOR: 87.5%

**Rank: 9**

<b>Total Number of Orders Analysed</b>	1586
<b>Orders in Favour of Disclosure</b>	1388 (88%)
<b>Orders in which information was partly or fully denied</b>	141 (9%)
<b>Remanded Back</b>	57 (4%)
<b>Rank</b>	9 <sup>th</sup>

**c) EFFECTIVENESS: 30 to 40%**

- 30 to 40% of the pro-disclosure orders were complied with.
- Compliance, though close to national average of 30 to 40%, is much less than the best 90 to 100%.

**d) DETERRENCE IMPACT: 3.7%**

**Rank: 11**

- Number of cases in which show cause notices issued: 558 (i.e. 40% of cases).
- 291 of these show-cause notices were dropped after hearings (i.e. 52% of such notices).
- Show cause notices remained pending in 39% cases at the end of the year.
- Penalty was imposed in 52 cases (i.e. 4% of pro-disclosure cases).

The commission passed pro-disclosure orders in 1388 cases, but sent show-cause notices on PIOs in only 558 of those cases, letting officials in the remaining cases off without so much as an explanation for delay in providing information.

As many as 39 per cent of show-cause cases remained “pending” which means no action was taken on those cases several weeks or months after sending notices. Fifty two percent of PIOs being served show-cause notices were let off without penalty. Penalty was imposed on PIOs in only 52 cases, i.e. 4% cases.

**e) OVERALL PUBLIC SATISFACTION (OPS): 20 to 30%**

Out of 100 people approaching Haryana Information Commission, 87 people get pro-disclosure orders, but only 20 to 30 people finally manage to obtain the information that they had requested.

**4. RANKING OF COMMISSIONERS BY PARAMETERS**

Name	Pro-disclosure Factor (rank)	Effectiveness	Deterrent Impact (rank)	Overall Public Satisfaction
G. Madhavan	92.3 (24 <sup>th</sup> )	20-30	2.6 (27 <sup>th</sup> )	20-30
Asha Sharma	94.2 (19 <sup>th</sup> )	30-40	0 (57 <sup>th</sup> )	20-30
Ashok Mehta	97.6 (6 <sup>th</sup> )	40-50	2.5 (28 <sup>th</sup> )	40-50
Prem Veer	89.0 (36 <sup>th</sup> )	30-40	1.7 (38 <sup>th</sup> )	30-40

<b>Singh</b>				
<b>M.R. Ranga</b>	90.0 (30 <sup>th</sup> )	10-20	10.2 (8 <sup>th</sup> )	10-20
<b>J.B.S. Yadav</b>	79.3 (60 <sup>th</sup> )	30-40	6.8 (14 <sup>th</sup> )	20-30
<b>Meenaxi Anand Chaudhry</b>	79.9 (56 <sup>th</sup> )	30-40	4.1 (19 <sup>th</sup> )	20-30

## **INFORMATION COMMISSIONERS** **(Haryana)**

### **1. G. Madhavan**

**Disposals: 42 cases per month**

He had a pendency of 58 cases by the end of 2008.

- It takes 4 months on an average for Madhavan to conduct first hearing from the time of filing of appeal.

**Pro-disclosure Factor: 92.3%**

**Rank: 24**

<b>Total Number of Orders Analysed</b>	509
<b>Orders in Favour of Disclosure</b>	470 (92%)
<b>Orders in which information was partly or fully denied</b>	34 (7%)
<b>Remanded Back</b>	5 (1%)
<b>Rank</b>	24 <sup>th</sup>

**Effectiveness: 20 to 30%**

- Only 20 to 30% of the pro-disclosure orders passed by Madhavan were complied with by PIOs.
- Madhavan's Effectiveness is less than the national average (30 to 40%) and way below the best (90 to 100).

**Deterrence Impact: 2.6%****Rank: 27**

- Madhavan passed pro-disclosure orders in 470 cases, all of which would have involved delay on the part of PIO to provide information. But the commissioner issued show-cause notices to PIOs in only 140 cases, which was just 30% of pro-disclosure cases.
- Of this 88 of those show-cause notices were dropped subsequently.
- Madhavan imposed penalty on PIOs in just 12 cases, which was less than 3% of the pro-disclosure orders.

**Overall Public Satisfaction: 20 to 30%**

Out of 100 people who approached Madhavan, 92 got pro-disclosure orders, but only 20 to 30 people ended up receiving the information requested.

**General observations**

- Despite his slow disposal rate, Madhavan has not been able to achieve a high OPS and Effectiveness.
- With 2.6 per cent Deterrent Impact, Madhavan has not shown any tendency to be tough with PIOs who delay or deny information to RTI applicants.

**2. Asha Sharma****Disposal rate: 10 cases per month**

She had a pendency of 58 cases by the end of 2008.

- Sharma takes 4 months for conducting the first hearing from the time of filing of appeal.

**Pro-disclosure Factor: 94.2%****Rank: 19**

<b>Total Number of Orders Analysed</b>	86
<b>Orders in Favour of Disclosure</b>	81 (94%)
<b>Orders in which information was partly or fully denied</b>	5 (6%)
<b>Remanded Back</b>	0
<b>Rank</b>	19

**Effectiveness: 30 to 40%**

- 30 to 40% pro-disclosure orders were complied with.
- It is equal to national average (30 to 40%) but way below the best (90 to 100).

**Deterrence Impact: 0**

**Rank: 57**

- Number of cases in which show cause notices issued: 42 (52% of pro-disclosure cases)
- Of this 15 (i.e. 36%) were dropped subsequently.
- Penalty was not imposed in any of the cases.

With 0% deterrent impact, Sharma is one of the information commissioners who make up the bottom of rankings on this parameter.

Even though Sharma passed 81 pro-disclosure orders, she served show-cause notices in only 42 cases. She subsequently dropped the notices in 15 cases. Twenty seven of the show-cause cases remained pending by the end of year, which means no any action was taken after issuing the notices.

**Overall Public Satisfaction: 20 to 30%**

If 100 people approached this Commissioner, pro-disclosure orders were passed in 94 cases. Out of these, only 20 to 30 people finally got the information requested.

### **General observations**

- Sharma has shown no tendency to penalise the violation of RTI Act by a PIO. Her below average effectiveness and OPS reflects her extraordinary leniency towards PIOs.
- Her very slow speed of disposing cases does not seem to have improved her Effectiveness and OPS. It also takes her 4 months to conduct first hearing after filing of an appeal/complaint.
- She does not conduct any compliance hearings.

## **3. Ashok Mehta**

**Disposals: 15 cases per month.**

Mehta had a pendency of 58 cases by the end of 2008.

**Pro-disclosure Factor: 97.6%**

**Rank: 6**

<b>Total Number of Orders Analysed</b>	123
<b>Orders in Favour of Disclosure</b>	120 (97.6%)
<b>Orders in which information was partly or fully denied</b>	2 (2%)
<b>Remanded Back</b>	1 (1%)
<b>Rank</b>	6 <sup>th</sup>

### **Effectiveness: 40 to 50%**

- 40 to 50% pro-disclosure orders passed by Ashok Mehta were complied with.
- This Effectiveness is more than national average (30 to 40) but falls way short of the best (90 to 100).

### **Deterrence Impact: 2.5%**

**Rank: 28**

- Number of cases in which show cause notices issued: 37 (31% of pro-disclosure cases). Of this 14 notices (38%) were dropped subsequently.
- Penalty was imposed in only 3 cases (3% of pro-disclosure cases) cases.

Mehta passed 120 pro-disclosure orders, all of which would have dealt with delay on the part of PIOs, but served show-cause notices in 37 cases; he imposed penalty in only 3% cases.

### **Overall Public Satisfaction: 40 to 50%**

If 100 people approached this Commissioner, pro-disclosure orders were passed in 97 cases. Out of these, only 40 to 50 people finally got the information requested.

### **General observations**

- In 78% of his pro-disclosure orders, Mehta determined that the PIO had already provided information to the applicant at the time of making the order, but only 40-50% of people said they received information after approaching him.
- Mehta dropped the show cause in 38% of cases.
- Mehta also appears to be soft on officers with only 3% Deterrent Impact

## **4. Prem Veer Singh**

### **Disposals: 15 cases per month**

- Singh had a pendency of 58 cases by the end of 2008.
- It takes Prem Veer Singh 4 months to conduct first hearing from the time of filing of an appeal or complaint.

### **Pro-disclosure Factor: 89%**

**Rank: 36**

<b>Total Number of Orders Analysed</b>	136
<b>Orders in Favour of Disclosure</b>	121 (89%)
<b>Orders in which information was partly or fully denied</b>	15 (11%)
<b>Remanded Back</b>	0
<b>Rank</b>	36 <sup>th</sup>

### **Effectiveness: 30 to 40%**

- 30 to 40% pro-disclosure orders were complied with.
- It is in the same range as national average (30 to 40%) but much less than the best (90 to 100).

### **Deterrence Impact: 1.65%**

**Rank: 38**

- Number of cases in which show cause notices issued: 68 (56% of pro-disclosure cases). Of this 44 (65%) notices were dropped subsequently.
- Penalty was imposed in only 2 cases (2% of pro-disclosure cases).

Singh passed 121 pro-disclosure orders, but served show-cause notices in only 68 cases, but ended up imposing penalty in only 2% cases.

### **Overall Public Satisfaction: 30 to 40%**

If 100 people approached this Commissioner, pro-disclosure orders were passed in 89 cases. Out of these, 30 to 40 people finally got the information requested.

### **General observations**

- Despite a high rate of pro-disclosure orders, Singh has only 30-40% effectiveness, which means many of his orders are not complied with.
- His disposal is also very slow at about 15 cases a month.
- Singh liberally agrees with the arguments of the PIO for not providing information, dropping show-cause notices in 65% cases. He also has a weak Deterrent Impact of 2%.

## **5. M.R. Ranga**

### **Disposals: 13 per month**

- Ranga had a pendency of 58 cases by the end of 2008.
- It takes Ranga 4 months to conduct first hearing from the time of filing of an appeal or complaint.

### **Pro-disclosure Factor: 90%**

**Rank: 30**

<b>Total Number of Orders Analysed</b>	120
<b>Orders in Favour of Disclosure</b>	108 (90%)
<b>Orders in which information was partly or fully denied</b>	12 (10%)
<b>Remanded Back</b>	0
<b>Rank</b>	30

### **Effectiveness: 10 to 20%**

- Only 10 to 20% pro-disclosure orders were complied with.
- It is below the national average (30 to 40%) and falls way short of the best (90 to 100).

### **Deterrence Impact: 10.2%**

**Rank: 8**

- Number of cases in which show cause notices issued: 69 (64% of pro-disclosure cases). Of this 19 (28%) notices were dropped subsequently.
- Penalty was imposed in only 11 cases (10% of pro-disclosure cases).

Ranga passed 108 pro-disclosure orders, but sent show-cause notices to PIOs in only 69 cases; he ended up imposing penalty in only 11 cases.

### **Overall Public Satisfaction: 10 to 20%**

If 100 people approached this Commissioner, pro-disclosure orders were passed in 90 cases. Out of these, only 10 to 20 people were fortunate enough to finally get the information requested.

### **General observations**

- Despite a high rate of pro-disclosure orders, Ranga performs miserably on Effectiveness.
- He has unsatisfactory disposal rate of about 13 cases a day.
- Ranga agreed with the reasoning put forth by PIO in not providing information in 28 per cent of cases.
- Even though Ranga has the highest Deterrent Impact (10.2%) among all Haryana information commissioners, his deterrence does not seem to have translated into good compliance of his orders.

## **6. J.B.S. Yadav**

### **Disposals: 20 per month**

- Yadav had a pendency of 58 cases by the end of 2008.
- It takes Yadav 4 months to conduct first hearing from the time of filing of an appeal or complaint.

### **Pro-disclosure Factor: 79.3%**

**Rank: 60**

<b>Total Number of Orders Analysed</b>	184
<b>Orders in Favour of Disclosure</b>	146 (79%)
<b>Orders in which information was partly</b>	34 (18%)

<b>or fully denied</b>	
<b>Remanded Back</b>	4
<b>Rank</b>	60 <sup>th</sup>

#### **Effectiveness: 30 to 40%**

- 30 to 40% of the pro-disclosure orders passed by Yadav were complied with.
- The Effectiveness equals the national average (30 to 40%) but falls way short of the best (90 to 100).

#### **Deterrence Impact: 6.8%**

**Rank: 14**

- Number of cases in which show cause notices issued: 64 (44% of pro-disclosure cases). Of this as many as 27 notices (42%) were dropped subsequently.
- Penalty was imposed in only 10 cases (7% of pro-disclosure cases).

Yadav passed 146 pro-disclosure orders, but served show-cause notices in only 64 cases; he ended up imposing penalty in only 10 cases.

#### **Overall Public Satisfaction: 20 to 30%**

If 100 people approached this Commissioner, pro-disclosure orders were passed in 79 cases. Out of these, only 20 to 30 people were fortunate enough to finally get the information requested.

#### **General observations**

- Yadav dropped 42% of the show-cause notices, bringing down his deterrent impact.
- His disposal rate of about 20 cases a month is slow.

## **7. Meenaxi Anand Chaudhry**

#### **Disposals: 36 cases per month**

- Chaudhry had a pendency of 58 cases by the end of 2008.
- It takes Chaudhry 4 months to conduct first hearing from the time of filing of an appeal or complaint.

**Pro-disclosure Factor: 79.9% Rank: 56th**

<b>Total Number of Orders Analysed</b>	428
<b>Orders in Favour of Disclosure</b>	342 (79.9%)
<b>Orders in which information was partly or fully denied</b>	39 (9%)

<b>Remanded Back</b>	47
<b>Rank</b>	56 <sup>th</sup>

### **Effectiveness: 30 to 40%**

- 30 to 40% pro-disclosure orders were complied with.
- The Effectiveness is almost same as national average (30 to 40%) but falls short of the best (90 to 100).

### **Deterrence Impact: 4.1%**

**Rank: 19**

- Number of cases in which show cause notices issued: 138 (40% of pro-disclosure cases). Of this 84 (61%) notices were dropped subsequently.
- Penalty was imposed in only 14 cases (4% of pro-disclosure cases).

Chaudhry passed 342 pro-disclosure orders, but served show-cause notices in only 138 cases, and ended up imposing penalty in only 14 cases.

### **Overall Public Satisfaction: 20 to 30%**

If 100 people approached this Commissioner, pro-disclosure orders were passed in 80 cases. Out of these, only 20 to 30 people were fortunate enough to finally get the information requested.

### **General Observations**

- Chaudhry agreed with the reasoning put forth by PIO in not providing information in 61% of cases.