

# Maharashtra

## 1. STATE FACTSHEET

<b>State Chief Information Commissioner</b>	Suresh V Joshi
<b>State Information Commissioners</b>	Naveen Kumar Ramanand Tiwari Vijay Baburao Borge Vijay V. Kuvalekar Vilas Patil
<b>Pendency as on January 1, 2008</b>	Not Available
<b>Pendency as on December 31, 2008</b>	Not Available
<b>Time Taken Between Filing of Appeal and First Hearing</b>	Not available (these dates are not mentioned in orders)
<b>Total Funds Spent by the Commission (FY 2008-09)</b>	Not Available

## 2. STATE OF RECORDS:

In the state of Maharashtra, records are maintained by each commissioner separately:

### **Suresh V Joshi:**

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He did not respond to our letters. After several phone calls, we were informed that all their orders were on the website. The Commissioner himself confirmed this. After two RTI applications asking for copies of all orders, they provided us with some reply in Marathi about the total number of orders passed by them. They still did not give us copies of orders. When we tried to contact the Commissioner on phone again informing him that his own office was not responding to the RTI query, he rudely disconnected the phone saying he was not interested in awards.

We have learnt that the entire Commission had a meeting, in which they decided that they would remand back large number of cases without hearings in order to increase their disposal. It was decided that all cases where the first appellate authority had not passed an order or where the first appellate authority had passed an order but the order had not been implemented would be remanded back. We have been informed by other commissioners how many orders were remanded back by them under this category. However, Joshi refuses to reveal the total number of orders passed by him and refuses to provide copies of the same.

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**Naveen Kumar:**

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He said all their orders are on their website, which we have downloaded and they have confirmed that these are complete orders. They responded to our RTI query in Marathi saying that they had rejected/remanded back 1,004 cases without a hearing. Copies of these orders were not provided. We have simply added these orders in rejection/remand back category.

**Ramanand Tiwari:**

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We were told that all his orders are on the website. We found that orders for March and April were missing. We wrote to them and called them up several times. They said they would get back to us. However, we did not hear anything from them. We have not received any reply to RTI queries filed in his office.

**Vijay Baburao Borge:**

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He sent us all his orders in a CD. In response to our RTI, he informed us saying that he had rejected/remanded back 3,266 cases without a hearing.

**Vijay V. Kuvalekar:**

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He provided us copies of all his orders on a CD. He confirmed that he does not remand/reject any cases without a hearing.

**Vilas Patil:**

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We collected 1,073 orders from his office in hard copies. He also informed us that he had rejected/remanded back 802 cases without hearings.

### **3. PERFORMANCE OF INFORMATION COMMISSION ON VARIOUS PARAMETERS**

**a) DISPOSALS: An average of 187 cases per commissioner per month.**

- Despite letters, an RTI application and several phone calls, we were not able to obtain the correct figures of pendency from all the Benches of Maharashtra Information Commission
- During calendar year 2008, Maharashtra Information Commission disposed 13,477 cases. There were six commissioners—while four of them worked for 12 months, two worked for 9 months. So, it comes to roughly 204 cases per commissioner per month.

**b) PRO-DISCLOSURE FACTOR: 44%****Rank: 23**

<b>Total Number of Orders Analysed</b>	13,477
<b>Orders in Favour of Disclosure</b>	5,875 (~44%)
<b>Orders in which information was partly or fully denied</b>	6,083 (45%)
<b>Remanded Back</b>	1,519 (11%)
<b>Rank</b>	

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

How many of the pro-disclosure orders were complied with?

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

**d) DETERRENCE IMPACT: 4%****Rank: 9**

- Number of cases in which show cause notices issued: 253
- 2 of these notices were dropped after hearings (i.e. 1% of show cause notices)
- Penalty was imposed in 249 cases (i.e. 4% of pro-disclosure cases).
- Show cause notices remained pending in 1% cases at the end of the year.

The Commission directed information to be provided in 5,875 cases. However, the Commission asked the reasons for this delay only in 253 cases. In rest of the cases the officials were not even asked to explain the reasons for delay.

**e) OVERALL PUBLIC SATISFACTION (OPS): 10 to 20%**

So, if 100 people approach Maharashtra Information Commission, pro-disclosure orders were given in 44 cases. Out of these, 10 to 20% finally got information.

**4. RANKING OF COMMISSIONERS BY PARAMETERS**

<b>Name</b>	<b>Pro-disclosure Factor</b>	<b>Effectiveness</b>	<b>Deterrent Impact</b>	<b>Overall Public Satisfaction</b>
<b>Suresh V Joshi</b>	95 (16 <sup>th</sup> )	20 to 30%	1.5(39 <sup>th</sup> )	20 to 30%
<b>Naveen Kumar</b>	14(86 <sup>th</sup> )	20 to 30 %	0.49% (53rd)	Less than 10%

<b>Ramanand Tiwari</b>	91(27 <sup>th</sup> )	20 to 30%	0 (57 <sup>th</sup> )	20 to 30%
<b>Vijay Baburao Borge</b>	22(84 <sup>th</sup> )	30 to 40%	10 (7 <sup>th</sup> )	Less than 10%
<b>Vijay V. Kuvalekar</b>	86 (47 <sup>th</sup> )	30 to 40%	3 (23 <sup>rd</sup> )	20 to 30%
<b>Vilas Patil</b>	46 (81 <sup>st</sup> )	30 to 40 %	10 (9 <sup>th</sup> )	10 to 20%

## **INFORMATION COMMISSIONERS** **(Maharashtra)**

### **1. SURESH V JOSHI (Mumbai)**

**Disposals: Roughly 85 per month**

- The pendency figures were not available.
- Time taken between filing of appeal and first hearing is 13 months (This 13 months was during 2008. It appears it has gone up substantially after that.)

**Pro-disclosure Factor: 95%**

**Rank: 16**

<b>Total Number of Orders Analysed</b>	1,019
<b>Orders in Favour of Disclosure</b>	965 (95%)
<b>Orders in which information was partly or fully denied</b>	54 (5%)
<b>Remanded Back</b>	0

**Effectiveness: 20 to 30%**

How many of pro-disclosure orders were complied with?

- 20 to 30% pro-disclosure orders were complied with.
- It is less than the national average of 30-40% but much less than the best 90-100%.

**Deterrence Impact: 1.5%**

**Rank: 39**

- Number of cases in which show cause notices issued: 22 (2% of pro-disclosure cases)
- Of this, 0 show cause notices were dropped subsequently.
- Penalty was imposed in 17 (~1.5% of pro-disclosure cases) cases.

The Commissioner directed information to be provided in 965 cases. However, the Commissioner asked the reasons for this delay only in 22 cases. In rest of the cases the officials were not even asked to explain the reasons for delay.

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

So, if 100 people approached this Commissioner, pro-disclosure orders were done in 95 cases. Out of these, only 20 to 30% people finally got information.

## 2. NAVEEN KUMAR (Navi Mumbai)

**Disposals: Roughly 333 per month**

- Cases pending on 1<sup>st</sup> January 2008: 0
- Cases pending on 31<sup>st</sup> December 2008: 1,386
- Time taken between filing of appeal and first hearing not available because these dates are not mentioned in their orders.

**Pro-disclosure Factor: 14%**

**Rank: 86**

<b>Total Number of Orders Analysed</b>	2,996
<b>Orders in Favour of Disclosure</b>	410 (14%)
<b>Orders in which information was partly or fully denied</b>	1092 (36%)
<b>Remanded Back</b>	1494 (50%)

**Effectiveness: 20 to 30%**

How many of pro-disclosure orders were complied with?

- 20 to 30% pro-disclosure orders were complied with.
- It is less than the national average of 30-40% but much less than the best 90-100%.

**Deterrence Impact: 0**

**Rank: 53**

- Number of cases in which show cause notices issued: 36 (9% of pro-disclosure cases)

- Of this no cases were dropped.
- Penalty was imposed in 4 cases.

The Commissioner directed information to be provided in 410 cases. However, the Commission asked the reasons for this delay only in 36 cases. In rest of the cases the officials were not even asked to explain the reasons for delay.

**Overall Public Satisfaction: Less than 10%**

So, if 100 people approached this Commissioner, pro-disclosure orders were done in 14 cases. Out of these, less than 10% finally got information.

**3. RAMANAND TIWARI (Mumbai)**

**Disposals: Roughly 158 per month**

- Pendency figure of Ramanand Tiwari was not available.
- Time taken between filing of appeal and first hearing was not available because these dates are not mentioned in their orders.

**Pro-disclosure Factor: 91%**

**Rank: 27**

<b>Total Number of Orders Analysed</b>	1,420
<b>Orders in Favour of Disclosure</b>	1,297 (91%)
<b>Orders in which information was partly or fully denied</b>	102 (7%)
<b>Remanded Back</b>	21 (1%)
<b>Rank</b>	

**Effectiveness: 20 to 30%**

How many of pro-disclosure orders were complied with?

- 20 to 30% pro-disclosure orders were complied with.
- It is less than the national average of 30-40% and much less than the best 90-100%.

**Deterrence Impact: 0**

**Rank: 57**

- Number of cases in which show cause notices issued: 46 (4% of pro-disclosure cases)
- Of this 1 (roughly 2% of show cause notices issued) were dropped subsequently.
- Penalty was imposed in 3 (~0% of pro-disclosure cases) cases.

The Commissioner directed information to be provided in 1,297 cases. However, the Commissioner asked the reasons for this delay only in 46 cases. In rest of the cases the officials were not even asked to explain the reasons for delay.

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

So, if 100 people approached this Commissioner, pro-disclosure orders were given in 91 cases. Out of these, 20 to 30% finally got information.

**4. VIJAY BABURAO BORGE (Aurangabad)**

**Disposals: Roughly 383 per month**

- Cases pending on 1<sup>st</sup> January 2008: 3,940
- Cases pending on 31<sup>st</sup> December 2008: 5,438
- Time taken between filing of appeal and first hearing not available because these dates are not mentioned in their orders.

**Pro-disclosure Factor: 22%**

**Rank: 84**

<b>Total Number of Orders Analysed</b>	4,593
<b>Orders in Favour of Disclosure</b>	989 (22%)
<b>Orders in which information was partly or fully denied</b>	3604 (78%)
<b>Remanded Back</b>	0
<b>Rank</b>	

**Effectiveness: 30 to 40%**

How many of pro-disclosure orders were complied with?

- 30 to 40% pro-disclosure orders were complied with.
- It is almost equal to the national average of 30-40% but much less than the best 90-100%.

**Deterrence Impact: 10%**

**Rank: 7**

- Number of cases in which show cause notices issued: 22 (2% of pro-disclosure cases)
- Of this no show cause notices were dropped.
- Penalty was imposed in 102 (~10% of pro-disclosure cases) cases.

The Commissioner directed information to be provided in 989 cases. However, the Commission asked the reasons for this delay only in 22 cases. In rest of the cases, the officials were not even asked to explain the reasons for delay.

## **Overall Public Satisfaction: Less than 10%**

So, if 100 people approached this Commissioner, pro-disclosure orders were done in 22 cases. Out of these, less than 10 % finally got information.

## **5. VIJAY V. KUVALEKAR (Pune)**

### **Disposals: Roughly 131 per month**

- Cases pending on 1<sup>st</sup> January 2008: 2,909
- Cases pending on 31<sup>st</sup> December 2008: 4,116
- Time taken between filing of appeal and first hearing was not available because these dates are not mentioned in their orders.

**Pro-disclosure Factor: 86%**

**Rank: 47**

<b>Total Number of Orders Analysed</b>	1,574
<b>Orders in Favour of Disclosure</b>	1,347 (86%)
<b>Orders in which information was partly or fully denied</b>	223 (14%)
<b>Remanded Back</b>	4
<b>Rank</b>	

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

How many of pro-disclosure orders were complied with?

- 30 to 40% pro-disclosure orders were complied with.
- It is almost equal to the national average of 30-40% but much less than the best 90-100%.

### **Deterrence Impact: 3%**

**Rank: 23**

- Number of cases in which show cause notices issued: 42 (3% of pro-disclosure cases)
- Of this 1 (roughly 2% of show cause notices Issued) were dropped subsequently.
- Penalty was imposed in 39 (3% of pro-disclosure cases) cases.

The Commission directed information to be provided in 1,347 cases. However, the Commission asked the reasons for this delay only in 42 cases. In rest of the cases the officials were not even asked to explain the reasons for delay.

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

So, if 100 people approached this Commissioner, pro-disclosure orders were done in 86 cases. Out of these, 20 to 30% finally got information.

## **6. VILAS PATIL (Nagpur)**

### **Disposals: Roughly 156 per month**

- Cases pending on 1<sup>st</sup> January 2008: 2,358
- Cases pending on 31<sup>st</sup> December 2008: 3,367
- Time taken between filing of appeal and first hearing was not available because these dates are not mentioned in their orders.

**Pro-disclosure Factor: 46%**

**Rank: 81**

<b>Total Number of Orders Analysed</b>	1,875
<b>Orders in Favour of Disclosure</b>	867 (46%)
<b>Orders in which information was partly or fully denied</b>	1,008 (54%)
<b>Remanded Back</b>	0
<b>Rank</b>	

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

How many of pro-disclosure orders were complied with?

- 30 to 40% pro-disclosure orders were complied with.
- It is almost equal to national average of 30-40% but much less than the best 90-100%.

### **Deterrence Impact: 10%**

**Rank: 9**

- Number of cases in which show cause notices issued: 85 (10% of pro-disclosure cases)
- Of this, no show cause notices were dropped.
- Penalty was imposed in 84 (~10% of pro-disclosure cases) cases.

The Commissioner directed information to be provided in 867 cases. However, the Commission asked the reasons for this delay only in 85 cases. In rest of the cases the officials were not even asked to explain the reasons for delay.

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

So, if 100 people approached this Commissioner, pro-disclosure orders were done in 46 cases. Out of these, 10 to 20% finally got information.