

Day 4 – Thursday, 29 November 2007
Parallel Sessions – Session 3D 11.00am-12.30pm

Speaker: Rajan Kashyap

Position: Chief Information Commissioner

Organisation: Punjab State Information Commission, India

Presentation Title: Central and state information commissioner in India: their inter-relationship

The Right to Information Act, 2005 in India is a unitary Central legislation. It applies to all public authorities within the purview of the Central Government (Government of India) and of the 29 States Governments in the country. The Act provides for separate autonomous Commissions to function at the National level and in each of the States. The Central Information Commission is the final regulatory and appellate body for information related issues concerning all public authorities within the purview of the Centre. The State Information Commissions perform similar function in respect of all public authorities within their purview. Even as the Commissions derive their powers from a single statute, the Central and State Information Commissions work independently of one another. The provisions of the Act confer identical powers and responsibilities on the Commissions at Centre and in the States. Right to Information Act is a comparatively recent law in India to empower citizens and to ensure transparency and accountability of all authorities charged with governance. Even as there is a single regime for information in India, the Central Commission and the State Commissions have devised and adopted their own mechanism for enforcement of the provisions. The nature of public authorities at the Centre and in the States varies considerably. Similarly the quality of data management in various authorities differs. Public authorities at the Centre and in the States perform functions under different State and Central laws. There is also variation in the level of political commitment to information freedom displayed by leaders at the national and state level. The volume of matters brought up for adjudication varies between the Centre and the States, and also as between the various States themselves. All these factors have guided the Commissions in establishing systems for enforcement of the law on information freedom. The Commissions especially bear in mind the interest of the common public for providing it ease of access to information. Procedures for disposal of complaints and appeals before the Commissions have accordingly been simplified. The work of the Central Information Commission and the State Information Commissions is complementary each to the other.