Chapter V

Case study of RTI desk at the Delhi Secretariat

There appears to be a great divide between the formulation and implementation of public policies and this erupts from time to time as an unmanageable missing link of implementation. While writing this thesis there was a need felt to analyse the present functioning of the Right to Information (RTI) Act in a practical set up, where it would be possible to monitor its actual implementation and consequential impact. For such purpose, it is necessary to focus on a target area (department) where many RTI applications are filed and which affects the common public in the most direct way. The Delhi Secretariat was considered to be a good case study for the purpose of this research because there are numerous applications filed in the Delhi Secretariat and the Secretariat has been proactive in enacting the RTI. It has been maintaining its RTI records in a systematic manner such that a coherent analysis of the real functioning of the Act could be made for the benefit of the research.

The Public Information officer (PIO):

Before dwelling into the practical issues of dealing with the Act, it is important to state a brief working of the Act so that its practical implementation is clear. The Right to Information is supervised, implemented and monitored through a Public Information Officer (PIO) in every office. Under Section 5 (1) of the Act, every Public Authority shall within one hundred days of the enactment of the Right to Information Act, designate Public Information Officers in all administrative units or offices. The task of the PIO is to provide information about the public office to an applicant who requests for such information under the Act. The PIO receives the information, collects the application fees through his office, analyses the application and arranges to collect the information regarding his public office from the concerned departments within his organisation. The PIO has to adhere to the time frame mentioned in the RTI act for the dissemination of information. In cases where the applicant demands information within 48 hours on grounds of threat to life and liberty, the PIO has to analyse whether the information so demanded relates to the time bound exception of threat to life and liberty and then accordingly dispose of the
RTI application. It is therefore the duty of the PIO to ensure that the information requested under the RTI Act is provided to the applicant within the stipulated time. Also, if the information sought by the RTI applicant pertains to third party information (Section 11), i.e. the information demanded is not pertaining to the applicant but is asking for details of a third person or party, in this case it is the duty of the PIO to inform the third party about the RTI application and to take the permission of the third party about divulging this information. If the third party has any objection in providing this information, then the same has to be analysed and assessed by the PIO under the auspices of the RTI Act and if it is found to be falling within the ambit of the exemption clause (which has been discussed in detail in the previous chapters) of the Act then only the information is to be denied.

In case the PIO is unable to answer the RTI application within the stipulated time of 30 to 45 days, or the information that is provided is incorrect or incomplete information, in such cases, the applicant has a right to appeal (section 19) to the Appellate authority within the public authority. Therefore, it is the obligation of every public authority to establish an appellate authority which shall look into complaints of the applicants regarding non-providing of information, or incorrect information being provided.

For the benefit of this research, it was important to study the working of the Right to Information Act as it manifests itself in the functioning of a government department in India. This was vital to the research because, even though, in our country, as is the case all around the world, the various instrumentalities of the State are governed by the same rules and procedures, however, each one of them has different capacities, philosophies and understanding of freedom of information laws, rules and procedures. The Right to Information Act has been adopted in different departments/offices of the government in different ways. Some departments and public offices have taken it upon themselves as a challenge and have done their best in upholding the tenets of the Right to Information Act whereas some offices are struggling to keep pace with the wave of openness and transparency. Some public offices have found it very difficult to change their set up to adapt to the new era of freedom of information because of rigid attitudes prevailing since a long time and have thereby fallen way too short in fulfilling their obligations under the Right to Information Act. Some departments have
to be forced to adopt the RTI Act and change their manner of functioning to make it more conducive to the spirit of the RTI Act. A study of the way in which a department responds, reacts and adopts the RTI system will reveal volumes on the system of accountability in the country. It would also reveal many other issues such as the bureaucratic capabilities of the concerned department, how well it responds to the demands of the new legislation which requires it to share information that was considered as secret till the introduction of the RTI Act. This study also aims to assess whether the bureaucrats are able to take on the role of the Public Information Officer as impartial facilitators of the spirit of the Act and as custodians of public records, whether their belief in norms and Constitutional procedures outweighs their desire for bureaucratic secrecy. The impartiality of the PIOs and the APIOs wherein their role is only that of a facilitator who acts independent of any influences could be assessed through this study.

This thesis attempts to explore the Right to Information legislation and the objectives that it strives to achieve vis-a-vis accountability in a currently functioning government department. For this purpose, a case study of the Delhi Secretariat has been undertaken because it is a thriving example of the implementation of the Right to Information Act in a fairly large government department.

While initiating the research, it was found that the Delhi Secretariat is a large body that has been divided into the following main departments: Environment, Health, Education, Land, DDA, Transport etc. There are also local bodies such as the Municipal Corporation of Delhi (MCD) and the New Delhi Municipal Corporation (NDMC).

Each department has appointed its own Public Information Officers (PIOs) and Assistant Public Information Officers (APIOS), thereby meaning that each department has its own set structure for dealing with RTI queries and disposing of requests. Therefore, for the sake of clarity and to further the purpose of the research in a concise manner, it was deemed fit to focus on two main departments of the Delhi Secretariat i.e. Education and Health and Family Welfare. These departments were chosen for the case study because the sample size would then be large enough to take care of the myriad questions that this case study poses and to deduce some concrete
results out of the same. While choosing these departments as the sample data for the case study an analysis of the kind of applications received by these departments was considered and it was found to be a fit case for the study at hand due to the sample size, the form of data that was available and could be collated, the trends that could be analysed and the correlations that could be drawn from such data.

**Data on RTI applications for the Delhi Secretariat –**

The data given below is for the period of applications received in the Delhi Secretariat i.e. since the implementation of the Act in October 2005 i.e. enactment of the Act till the date on which the data was collected i.e. 13.10.2011:

- Total applications received in the Delhi Secretariat. - 168836 (100%)
- Total applications disposed of in the Delhi Secretariat- 162524 (96.3%)
- Total applications pending with PIOs of the Delhi Secretariat- 4627 (2.7%)
- Total applications pending due to non-payment of further fees by the applicants in the Delhi Secretariat - 1691 (1%)

**Bar diagram of total applications received and disposed of in the Delhi Secretariat**

![Bar diagram](image.png)
In the above diagram, the ‘x’ axis represents the ‘number of applications’ and the bars on ‘y’ axis represent the various other variables:

Bar 1 represents: Number of applications received
Bar 2 represents: Number of applications disposed of
Bar 3 represents: Number of applications pending with the PIOs
Bar 4 represents: Number of applications pending due to non-payment of fees by applicants.

Thus, it may be seen from the above that the number of applications received in the Delhi Secretariat is quite large (168836). Delhi being the capital of the country, there is higher awareness amongst the residents of the city about their rights and the citizens have started using the Right to information to enforce these rights. Moreover, the level of literacy is also higher amongst the citizens of the capital and they are able to utilize the Right to Information in the best way possible. On the other hand, the response of the administration has also been very prompt in disposing of the applications that it has received. The applications received by the Delhi Secretariat from various applicants have seen a commendable response from the information providers who are also the custodians of information and most of them have been disposed of within the time frame allowed of thirty days. Out of 168836 applications received, 162524, have been disposed of by the Delhi Secretariat leaving around 6312 applications which were answered in a longer time frame than allotted in the Act. It is seen from the above chart that out of the total applications received, the applications disposed of, meaning thereby that applications in which information has been provided within the stipulated time i.e. 30 days, are 96.3% of the total and the applications that are pending with the PIOs due to various reasons are 2.7%. In some applications, the PIO may have asked the applicant to pay the fees for copies of documents asked for or fee for samples of materials, however, the applicant did not pay such fee because of which the information could not be provided to him. Such applications also fall under the category of pending applications and are 1% of the total applications received, their absolute number being 1691. Thus, if the number of applications that are not replied to due non payment of fees (1691) are deducted out of the total applications that are pending with the PIOs (4627), the number of applications that are actually pending with the PIOs for reasons mainly attributed to delay in providing information can be calculated, (4627-1691= 2936).
**Education department:**

While the above illustrated picture is representative of the entire Delhi Secretariat, the education department is focused upon in the upcoming section. The Education department of the Delhi Secretariat consists of various divisions that have been carved out to cater to different zones and working areas. The Education department of the Delhi Secretariat has been divided into Education-DDE (South-West-A), Education-DDE (West-A) and Education-Education (Administration). To enable the research to focus in a particular direction as far as gathering of data is concerned and to have a manageable sample size, this research has focused on the Administration branch of the Education department.

Within each department of every public authority, the Act has prescribed a classification to be made under terms of section 4(1)(b) of the Right to Information Act. Section 4 (1)(b) of the Act states that the public authority must publish within one hundred and twenty days of the enactment of the Act the above classifications of information. This particular section of the RTI Act deals with suo moto disclosure (self disclosure) of information by the public authority, such that information provided by every public authority under the above heads will be available to the public on the website and via other publications made by the public authority and there would be no need for the common public to request for this information through a separate application. The above classifications are made to facilitate the dissemination of information to the public and to make the information as objectively and categorically available as possible, by the public authority, on its own. The primary motive of this section is to promote an era of transparency by making it a statutory responsibility of the public authority to provide information that was till now covered in office files, open to anyone who wants to read it.

The first department under consideration is the education (administration branch) department of the Delhi Secretariat. Under section 4 of the Act, as mentioned above, the education department has put on its official website a lot of useful information under the following classification, as required under the RTI legislation:

1. Particulars of organization i.e Education (Admn.) department.
2. Power and duties of officers/employees of the education (Admn.) department.
3. Procedure for Decision Making
4. Norms for discharge of functions
5. Rules, Regulations for discharge of functions
6. Statement of categories
7. Details of consultative committees and other bodies of the education (Admn) department.
8. List of boards, councils, committees and other bodies
9. Directory of officers/employees
10. Budget allocated to each agency
11. Execution of subsidy program of the education department
12. Particulars of recipients of concessions, permits
13. Information available in an electronic form
14. Facilities available for obtaining information
15. Particulars of PIOs
16. Other information prescribed

The manual-1 under Section 4(1)(b)(i) mentions Particulars of Organisation, functions and duties of the Education department. The manual states that the Department of Education performs with the objective of making Delhi fully literate by imparting free education to all its children up to the senior secondary level. It further states that Headquarters of Education Department, Government of NCT of Delhi, responsible for Education matters from Class I to XII, is located in Old Secretariat, Delhi. The sub-offices like Regional Directors and Deputy Directors Offices and its various branch offices are located at various parts of Delhi. Clause 9 of the manual states, that the Right to Information Act 2005 has been implemented for the transparency of the functions and activities of the Directorate of Education as per the provisions of the RTI.

The Delhi Secretariat is headed by the Principal Secretary of Education and thereafter by the Director of Education. The rest of the heads of departments are divided into eleven categories pertaining to various departments such as finance, sports, administration, geographical zones such as Director for North zone, east zone, south, Central/west etc. Thus each department/zone has a functional head who is responsible
for that department. The administration and day to day functioning of these departments has been done under these heads.

Organisation chart of the Directorate of education

Principal Secretary of education

Director of education

<table>
<thead>
<tr>
<th>Spl.Dir. of Education(Fin)</th>
<th>Addl Dir of Education (Admn)</th>
<th>Addl Dir of Education (Act/Sect)</th>
<th>Addl Dir of Education (Sch)</th>
<th>State Project Director (SCERT)</th>
<th>Regional Director (North)</th>
<th>Regional Director (East)</th>
<th>Regional Director (South)</th>
<th>Regional Director (Central/West)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
<td>7</td>
<td>8</td>
<td>9</td>
</tr>
</tbody>
</table>

Manual 15 under Section 4(1)(b)(xv) states the Particulars of facilities available to citizens for obtaining information. This has been done to allow citizens to have easy access to information, and to inform them of the services that will be available to them in the education (admn.) department, details of which are as follows:

<table>
<thead>
<tr>
<th>S. no.</th>
<th>Facility available</th>
<th>Nature of Information Available</th>
<th>Working hours</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Information Counter</td>
<td>Address and Names of all Officers of the department</td>
<td>09:30 AM to 06:00PM</td>
</tr>
<tr>
<td>2</td>
<td>Website</td>
<td><a href="http://www.education.nic.in">www.education.nic.in</a> All relevant information like Transfer posting, circulars, etc.</td>
<td>Round the clock</td>
</tr>
<tr>
<td>3</td>
<td>Notice Board</td>
<td>Information on officers and details Of activities/function of Directorate Of Education</td>
<td>Round the clock</td>
</tr>
<tr>
<td>4</td>
<td>Library</td>
<td>Available in all schools of the department, text books, reference manuals, light reading books and informative books.</td>
<td></td>
</tr>
</tbody>
</table>
While collecting information relating to this chapter heavy reliance was placed on the website of the Delhi government (www.delhigovt.nic.in). It is noted that the website of the Delhi government is well designed and updated, such that statistics regarding the number and kinds of applications received could be easily retrieved from the website and also the cases in which appeals have been filed could be analysed and studied.

After an assessment of the RTI applications filed in the education (admns.) department, it is seen that the broad categories of questions that have been asked in the Education department are as follows:

- Queries relating to admission and withdrawal
- Many issues relating to aided/unaided Schools- Complaints
- Examination related issues
- General Issues Concerning Public
- Non availability of services that should be made available by the Education (Admn.) department.
- Others
- Policy matter
- Recruitment rules
- Redressal of Personal Grievance
- Retirement benefits
- Service/ Estt matters
- Tender/Contract Related Issues relating to the education department
- Vigilance matters that are directly or indirectly connected to the education department.

There are 14 Public Information Officers in the education department according to the zones and based on the demarcation of area/ activities, if more than one PIO is there. In most cases an officer of the rank of Deputy Director is designated as the PIO, however in some cases the Assistant Director has also been made the PIO. Likewise there are 15 Assistant Public Information Officers who are mostly officers of the rank of Assistant Directors. To hear the appeals of the applicants, nine appellate authorities, mostly officers of the rank of Regional Director of Education have been
The details (designation, address, telephone, demarcation of area/activities, etc.) of the Appellate authorities, Public Information Officers (PIOs) and Assistant Public Information Officers (APIOs) is available on the official website of the Delhi government. An applicant can make his application to any of these PIOs/APIOs to gather information about the department and the PIO/APIO is bound to give a response to the applicant within the stipulated time.

Further an analysis of the applications received under the RTI Act 2005 can be carried out on the basis of the following criteria:

- Type of Information requested under the Act wise
- Nature of information requested under the Act wise
- Below Poverty Line (BPL) / Non BPL wise

On the basis of the above the applications filed under the RTI were studied and the following classification of data emerged.

**Table of classification of data in the RTI applications**

<table>
<thead>
<tr>
<th>S. no.</th>
<th>Type of information asked</th>
<th>Total applications received</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Copies of documents</td>
<td>1763</td>
</tr>
<tr>
<td>2.</td>
<td>Inspection of documents</td>
<td>128</td>
</tr>
<tr>
<td>3.</td>
<td>Life or liberty</td>
<td>346</td>
</tr>
<tr>
<td>4.</td>
<td>Reply on other issues</td>
<td>8942</td>
</tr>
<tr>
<td>5.</td>
<td>Sample of material</td>
<td>270</td>
</tr>
<tr>
<td>6.</td>
<td>Third party information</td>
<td>572</td>
</tr>
</tbody>
</table>

From the above data, it is seen that most applicants have asked for ‘replies on other issues’ which could be information that does not require the giving of copies of documents under the RTI Act, but only answering of questions of the applicants. These questions are answered by the department concerned mostly in the form of a letter and do not require the giving of information in the form of separate copies of documents which would require additional fees of Rs.2/- per page. Such questions where additional information has been asked for are 1763 out of the total and additional fee has been claimed by the education department to claim such
information. Applications in which third party information has been asked are 572 in number and in all these applications the Public Information Officer has first asked for the permission of the third party’s objection, if any to the dissemination of such information and if the third party has made any objection, then the PIO has to analyse the same in the light of the provisions of the Act.

The interesting data to be noted is that there are 346 applications received on grounds of life or liberty thereby meaning that 346 applicants have sought information under the RTI Act within 48 hours since the information sought affects their right to life or liberty. Further analysis of such applications has been made in the latter part of the chapter to assess the course of action taken by the PIOs on these applications.

**Nature of information requested in the RTI applications**

<table>
<thead>
<tr>
<th>S.No.</th>
<th>Nature of Information</th>
<th>Total applications received</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Admission and withdrawal</td>
<td>584</td>
</tr>
<tr>
<td>2.</td>
<td>Aided/Unaided Schools- Complaints</td>
<td>898</td>
</tr>
<tr>
<td>3.</td>
<td>Examination</td>
<td>80</td>
</tr>
<tr>
<td>4.</td>
<td>General issues concerning public</td>
<td>507</td>
</tr>
<tr>
<td>5.</td>
<td>Non availability of service</td>
<td>23</td>
</tr>
<tr>
<td>6.</td>
<td>Policy matter</td>
<td>992</td>
</tr>
<tr>
<td>7.</td>
<td>Recruitment rules</td>
<td>133</td>
</tr>
<tr>
<td>8.</td>
<td>Redressal of personal grievance</td>
<td>507</td>
</tr>
<tr>
<td>9.</td>
<td>Retirement benefits</td>
<td>36</td>
</tr>
<tr>
<td>10.</td>
<td>Services/Estt. Matters</td>
<td>849</td>
</tr>
<tr>
<td>11.</td>
<td>Tender/Contract related Issues</td>
<td>10</td>
</tr>
<tr>
<td>12.</td>
<td>Vigilance matters</td>
<td>46</td>
</tr>
<tr>
<td>13.</td>
<td>Others</td>
<td>7255</td>
</tr>
</tbody>
</table>

Most information that has been sought, is related to Services/ Establishment matters. What is of note is that redressal of personal grievance is another category in which various applications have been received by the Delhi Secretariat. However, the RTI only provides for providing of information and does not provide for redressal of any
complaints. Thus, in most of these cases, the applicants have to be disappointed because the act only gets them access to the information and not the redressal of their complaint.

BPL/NON-BPL Wise analysis of applications received under RTI Act 2005 (as on November 02, 2011):

Total applications received in the Delhi Secretariat- 168665
Total applications from BPL applicants - 1234 (0.7%)
Total applications from Non BPL applicants- 167431- (99.3)%

Under the Right to Information Act, the persons below the poverty line do not have to pay the fees per application of Rs.10/- . However, very few percentage of applicants (only 0.7%) of the total applicants have filed applications under the below poverty line category. One reason for this could be the low literacy levels of the persons falling under the below poverty line category.

In the education department, the statistics relating to BPL/Non BPL category are as follows (since the date of enactment of the Act, till date):
Total applications received in the education department- 11076
Total applications from BPL applicants – 325- (2.9) %
Total applications from Non BPL applicants- 10751- (97.1) %

Thus, even in a smaller group, the number of applications made under the BPL category is very less. One reason for this could be that there are very few literate people under this category, who are aware of their rights and therefore cannot use the RTI Act to the best of their advantage.

**Time line for the disposal of applications:**

It was considered most suitable, for the benefit of the study that those applications may be studied in which the applicants have filed an appeal against the orders of the PIO so that the applications could be studied from start to finish. It was found from the data collected that 333 applicants have filed appeals with the Appellate authorities. The applications were studied to determine the total time taken from the initial filing of the appeal to the final disposal of the appeals. For this purpose, it was
deemed fit to study the time line from the filing of an application to its disposal and then from the filing of an appeal to the disposal of the appeal.

All the 333 applications were studied in detail and it was noted that out of the sample size of 333 taken:
1. 277 applications were disposed of within the time frame of 30 days or less.
2. The rest of the applications i.e. 56 applications were delayed beyond the prescribed period of 30 days.

There could be various reasons that could be attributed to the delay in the disposing of applications. The applications were studied for the benefit of this research and the results of the same have been enumerated later in the chapter.

**Appeals procedure:**
As mentioned above, the applicants who are dissatisfied with the information or those applicants to whom information has not been provided can file an appeal with the appellate authority established by the public authority after the due date within which information is to be provided by the public authority is over. In most cases it is 30 days. Once an appellate authority receives an appeal it should dispose it of in 30 days of the receipt of the appeal or within a period of maximum 45 days for reasons to be recorded in writing.

The above applications which were filed in the education (admn.) department were further analysed. A further analysis of the appeals was made through which it is reflected that:
1. Out of 333 appeals, 270 appeals were disposed of within 30 days or less.
2. Out of 333 appeals, 51 appeals were disposed of between 30-45 days
3. The remaining 11 appeals took more than 45 days to be disposed of.

This shows a very good track record of the Appellate authorities for disposing of the appeals. As seen from the data, most of the appeals have been disposed of within the stipulated time of 0-45 days. Out of this category also, a majority has been disposed of within 30 days. An analysis of the appeals shows that by the time an RTI application reaches the level of an appeal, most of the issues have been resolved and
the appeal has been filed by the appellant due to either incomplete information or because grievance redressal has not taken place.

The data for applications which have gone from the PIO to the Appellate authority for appeal is given below. The data is for the period from the enactment of the Act till date: (This data pertains to the entire Delhi Secretariat)

Total Appeals Received- 5727 (100) %
Total Appeals Disposed of- 5647 (98.6) %
Total Appeals Pending with Appellate Authorities- 80 (1.4) %

**Analysis of appeals:**

In the Education Department of the Delhi Secretariat, there are 333 appeals that have been filed by various appellants, out of which none are pending with the appellate authority. All appeals have been disposed of by the Appellate authority of the Delhi Secretariat.

To have an in-depth understanding of the kind of applications that result in appeals, the applications (333) were studied from the start to finish i.e. till the appeals have been disposed of.

The first parameter was to identify the geographical area from which the applicant made the application. The following data emerges from the same:

- New Delhi- 294/333 applications
- Haryana- 13/333 applications
- Uttar Pradesh can be divided into one major zone i.e. Noida from where 12/333 applications have been received and the rest of UP from where 5/333 have been received.

Therefore, it is seen that maximum number of applications have been received from Delhi itself. This could be because most applicants are Delhi based who want to know about the functioning of the Delhi Secretariat.

The second parameter that was analysed was the number of applications that were filed under BPL/non- BPL category. Out of the 333 applications studied, only one application was of the below poverty line category.
Another parameter that was analysed was the mode of payment. The RTI Act says that a fee of Rs. 10 has to accompany each application and all applicants have to pay this fee. There are three main modes of payment that were seen. One is Banker’s cheque, the other is Indian Postal Order (IPO) and the third is cash. It was seen from the analysis of the data at hand that the most common mode of payment for the RTI fees is cash and then Indian Postal Order (IPO) is next most used by the applicants. The highest used mode of payment is cash payment.

**Bar diagram for mode of payment of RTI application fee:**

![Bar diagram](image)

In the above diagram on the ‘x’ axis are the various modes of payment i.e. banker’s cheque, Indian Postal order (IPO) and cash mode and on the ‘y’ axis are the number payments made through each of these modes of payment.

Out of the total applications received in the Delhi Secretariat, i.e. 168836 applications, 5727 applicants have gone in for appeal and 98.6% of the appeals i.e. 5647 appeals have been disposed of. Only 80 appeals are pending with the Appellate authorities.
In the pie chart diagram, the blue represents the total applications received, the red area denotes the appeals made out of the total applications received and the since there are very few pending appeals, the almost non visible green line denotes the pending appeals.

In the education (Admin) department, no appeals are pending as on date. In total in this deptt 333 appeals have been disposed of.

The appeals that have been filed in the education department have been perused to know the kind of lacunae that exist in the answering of the RTI applications because of which the applicants have to take recourse to the next authority i.e. the Appellate authority. The appeals were available on the website of the Delhi Secretariat and have been perused thoroughly.

The appeals that have been filed in the education department have been categorized into six main sections:
1. Services/Estt. Matters
2. Others
3. Policy matters
4. Incomplete information
5. Applicant not satisfied with the reply
6. Additional information

Most information falls in the category of miscellaneous information and some appeals are filed asking for information regarding service and establishment matters. Thus even though an attempt was made to classify the information sought into various categories, the issues raised by the applicants were such myriad in nature that it was practically impossible to compartmentalize them into fixed areas. The above categorization is the best attempt that this researcher could make to classify the information that is available.

Also, the grounds for appeal and the orders that have been passed by the Appellate authority in the 333 appeals were studied in detail. In many orders the Appellate authority has ordered that the Public Information Officer should provide information to the appellant. An in-depth analysis of the grounds for appeal was made and thereafter the orders passed in each of the three hundred and thirty three appeals were studied so that a coherent result could be drawn from the data available.

**Department of health and family welfare:**

A similar exercise was carried out in the Department of Health and Family Welfare of the Delhi Secretariat so that the case study of two prominent departments of the Delhi Secretariat could be carried out which would give a comparative picture of the variables that are under study in this chapter.

In the Department of Health and Family Welfare also it is seen that the number of applications that are disposed of are 68 and there are only three applications that are pending as on date. This data is since the enactment of the Act till November 14th 2011.

Moreover, as is the case with the education department, most applications originate from Delhi itself (62 applications) and the rest are from Uttar Pradesh (i.e. 6 applications). Moreover, almost 98% of the applications are from non- below poverty line (BPL) applicants i.e. 66 applications and 2 are from below poverty line (BPL) applicants.
In the Health and family Welfare Department, cash mode of payment and Indian Postal Order (IPO) are the two modes of payment that are most common. 39 applicants have filed the requisite Rs.10 fee through cash and 27 have filed through IPO.

The PIOs work hard to provide data/information to the applicants within the time frame provided under the Act. In some cases due to various reasons they are not able to do so. This could be due to myriad of reasons such as lack of information with the PIO, delay in collecting information from the concerned department in the public authority, non cooperation from the concerned department, delay in collecting the information in the form in which it is required by the applicant.

Much information and data was gathered from the Directorate of Economics and Statistics, Office of Chief Registrar of the Delhi Government (Births and Deaths), which is a nodal department of National Capital Territory of Delhi for collection, compilation, analysis and presentation of statistical data and information. The Directorate of Economics and Statistics also works as the Office of Registrar of Births and Deaths and the Director is the Chief Registrar, Births and Deaths for NCT of Delhi.

It is noted that due to the implementation of the Right to Information Act the websites of most government departments and the focus of this research i.e. the Delhi government website have become very informative and much more information is now available on these websites than that was available earlier. For example while conducting this research, the researcher found the report on the Participation and Expenditure in Education to be very useful and this report is available on the website of the Delhi government.

**Conclusion:**
The foregoing details the case study conducted by the researcher taking into consideration the two departments of the Delhi Secretariat into account i.e. the Education department and the Department of Health and Family Welfare. As detailed in the chapter above, these two departments were chosen for the case study because of
the appropriate sample size that they pose, the importance of the departments concerned and to check whether the departments that are some of the most socially relevant departments in the Delhi Secretariat have implemented the Act in its letter and spirit.

On perusal and analysis of the above data collected by the researcher, it is found that for the two departments under study, the response to RTI applications has been in the range of 83.183% for the Education department\(^1\) and 95.5% for the Department of Health and Education\(^2\). This is a satisfactory rate for the disposal of applications and the applications have been answered within the time frame of 30 days. Some of the applicants have appealed against the order of the Public Information Officer to the Appellate Authority. The total number of appeals received has been mostly disposed of by the Appellate authority of the Education Department. The success rate of the Appellate authorities in disposing off the appeals is in the range of 98.6% (since only 80 out of 5727 appeals are pending with the appellate authority.). The Appellate Authority has also done a decent job of disposing of the appeals in a timely and efficient manner. This shows high accountability of the departments of the Delhi Secretariat. The right to information applications have brought about transparency in the functioning of the Delhi Secretariat.

As compared to the Education department, the second department under study i.e. Department of Health and Family Welfare has fewer numbers of applications. This could be because of the nature of the departments being very different. There are many schools and colleges in Delhi which receive a number of complaints and this may result in many right to information applications being filed. Most of the applications in the Education department are from Delhi, the same is the case with the Department of Health and Family Welfare. This could be because the issues that are raised in the RTI applications under study pertain to Delhi jurisdiction and that is why applications are filed under these two departments in Delhi. The success rate of the right to information applications in these two departments is high as compared to other states. One reason that could be attributed to the high success rate is the literacy

\(^1\) Considering the total sample size taken in the research of 333 appeals out of which response to 277 has been given within the stipulated time frame of 30 days provided under the Act.
\(^2\) The total number of applications received in the Department of Health and Education is 68 and the total disposed of out of these are 65, only three have been pending.
levels in the area. The literacy levels in the state capital Delhi is very high and awareness of one’s rights are on a much higher level. The government has also initiated a number of awareness measures to spread awareness about the RTI act. In a state like Delhi this has had wide positive ramifications since the public is much more aware and in sync with the latest developments. There is a tendency to use one’s rights towards to resolve grievances. There are also many non-government organizations in Delhi which are committed to the cause of spreading awareness about the right to information, which has lead to a higher degree of awareness and realization about the right to information Act amongst the citizens of Delhi.

It is observed from the case study that has been conducted that the right to information has had a wide reach amongst the common man and RTI applications are coming from every strata of society. Many RTI applications have come from jhuggi jhopdi areas where the literacy levels are very low and many people filing applications are from below poverty line (BPL). The persons filing applications under the BPL category are not required to pay the fees for seeking information under the right to information act. In a very short span of time, the act has spread across the region and more and more citizens are using it. However, there is need to make the Act more conducive for the use of the common man. Many public authorities have made a proforma for filing the RTI application which is not a stipulation under the act. The citizen who approaches a public authority with an RTI query should be guided by the public information officer as to how to draft the RTI application, how to frame his questions so that the questions are clear and precise. The applicant must also be informed of the ways in which the fees for the application may be paid. In both the departments under study, the cash mode of payment of fees is the most used. The cash mode of payment of fees is the most convenient mode of payment and that is why it is the most used.