
FUNCTIONING OF THE KARNATAKA STATE INFORMATION COMMISSION (KSIC): A STUDY ON PENDENCY, DELAY, AND DISPOSAL

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ABSTRACT

One of the most important democratic changes in India is the Right to Information Act, 2005 (RTI Act), which aims to institutionalize transparency, accountability, and empowerment of citizens. At the state level, the task of implementing this requirement is imposed on the State Information Commissions (SICs). This paper critically examines the workings of Karnataka State Information Commission (KSIC) in the 2020-2024 period, putting its operations into the context of the national discourse on transparency and governance. The study has established a set of structural and functional inadequacies that have grossly compromised the performance of the KSIC. These include most notably an ever-growing backlog of second appeals and complaints, ongoing vacancies in the office of commissioners, laxity in applying penalty provisions in Section 20, and the inability to publish annual reports since 2020 in breach of Section 25 of the RTI Act.

The study is methodologically based on secondary sources, RTI use, and a comparative analysis with other State Information Commissions, like those in Maharashtra and Haryana. It unveils the erosion by institutional apathy, infrastructural deficits, low rates of digitisation, and political indifference in undermining the credibility of the Commission and eroding the constitutional promise of access to information in Article 19(1)(a). The lack of action of the KSIC not only undermines the people's trust but also threatens to make the RTI framework ineffective in Karnataka.

The paper ends with a highlight of the necessary changes to be implemented, such as timely appointments, increased accountability, increased financial and functional independence, and integration of technology-driven processes. It is urgent to build the strength of the KSIC in order to protect participatory democracy and to make the transformative potential of the RTI Act become a living reality and not a promise on paper.

Introduction

The Right to Information Act, 2005 (RTI Act) is one of the flagship legislations aimed at ushering transparency, accountability, and empowering citizens by allowing them to obtain information from different public authorities.¹ A key institutional mechanism under this Act is the State Information Commission (SIC), which adjudicates second appeals and complaints when authorities fail to comply with RTI provisions.² In Karnataka, this role is fulfilled by the Karnataka State Information Commission (KSIC), an adjudicatory and supervisory body meant to safeguard the spirit of transparency.³ There has been growing concern over the years regarding the weakening performance and accountability of the KSIC, which directly threatens the efficacy of the RTI framework in the state.⁴ Reports, including those by Satark Nagarik Sangathan (SNS), reveal that the KSIC suffers from one of the highest case backlogs among all SICs in the country, with thousands of pending cases.⁵ Adding to the problem of the commission, the Commission has continuously failed to publish annual reports since 2020, even when Section 25 of the RTI Act mandates that yearly reporting to the State Legislature.⁶ This omission by the authority represents a serious lapse because it undermines the statutory compliance and the broader principles of institutional transparency, which is the main aim of the Right to Information Act.⁷

The Commission's functioning shows a paradox where the Commission is assigned a duty of openness, but it has been non-responsive, has experienced many procedural delays, and has a lack of accountability, with minimal engagement with citizens in various aspects that are discussed in this paper⁸. Various civil society organisations and RTI activities have highlighted on various occasions how the shortcomings erode the public trust in the mechanisms, which

¹Right to Information Act, No. 22 of 2005, INDIA CODE (2005).

² *Id.* § 15–17.

³ *Id.* § 15(1)

⁴*Karnataka: Violating RTI Act, Info Panel Fails to Publish Annual Reports*, TIMES OF INDIA (Feb. 22, 2023), <https://timesofindia.indiatimes.com/city/bengaluru/karnataka-violating-rti-act-info-panel-fails-to-publish-annual-reports/articleshow/98135569.cms>.

⁵ SATARK NAGRIK SANGATHAN, REPORT CARD OF INFORMATION COMMISSIONS IN INDIA 2023, at 12–13, <https://snsindia.org> (last visited Sept. 19, 2025).

⁶ *Id.*; see also Right to Information Act § 25 (annual report requirement).

⁷ *'Vacancies, Backlogs, Culture of Impunity': Dismantling the Transparency Watchdogs*, THE WIRE (Oct. 11, 2024), <https://m.thewire.in/article/rights/vacancies-backlogs-culture-of-impunity-dismantling-the-transparency-watchdogs>.

⁸ *Over 4 Lakh Complaints and Appeals Pending Before Information Commissions; Karnataka Alone Has Pendency of Over 50,000 Cases*, DECCAN HERALD (Oct. 11, 2024), <https://www.deccanherald.com/india/over-4-lakh-complaints-and-appeals-pending-before-information-commissions-karnataka-alone-has-pendency-of-over-50000-cases-3228800>.

potentially discourages citizens from filing RTIs and pursuing appeals⁹. Such systemic inefficiencies foster bureaucratic opacity and weaken democratic governance¹⁰. Pendency and inaction, which are prolonged, have resulted in” delayed justice, which is denied justice” by the KSIC, destroying the idea in the constitution of a transparent and accountable state¹¹. Additionally, the KSIC has not submitted the annual report, and this is a dangerous precedent since, under the RTI Act, it is a requirement, and this will undermine the checks and balances that democracy needs¹². If there is no change, there is a serious danger of the Commission becoming irrelevant, hence diluting the change potential of the RTI Act itself¹³.

Against this background, the proposed research is guided by the following questions: What is the year-wise pendency rate of RTI cases before the KSIC from 2020 to 2024? What are the primary reasons behind the delay in disposing of second appeals and complaints? Why has the Commission failed to publish annual reports since 2020? What institutional constraints impact its performance? And how does the KSIC compare with other State Information Commissions in terms of efficiency and transparency? These questions aim to map the structural and functional challenges of the KSIC within a broader national context.

The objectives of the research are accordingly defined to critically evaluate the KSIC’s functioning on multiple operational and institutional dimensions and assess how effectively it has discharged its statutory mandate in recent years. Specifically, this study tries to identify the trends in the pendency rates between the years 2020 and 2024, the reasons for the delay in disposal, and examine the compliance of the RTI Act by the KSIC with respect to timelines, frequency, and comprehensiveness of annual reports. Further, the research aims to explore the institutional challenges that hinder efficient functioning and reporting. A comparative study with other State Information Commissions, particularly Maharashtra and Haryana, will provide a broader framework to contextualise KSIC’s performance and highlight best practices.

Methodologically, the study will rely on secondary sources. RTI applications will be filed with

⁹ COMMONWEALTH HUMAN RIGHTS INITIATIVE (CHRI), TRANSPARENCY & ACCOUNTABILITY REPORT: STATE INFORMATION COMMISSIONS 2022, <https://humanrightsinitiative.org> (last visited Sept. 19, 2025).

¹⁰ *Id.*

¹¹ *Karnataka Information Commission Imposes Record Rs. 3.2 Cr as Penalties on Govt Officials, Resolves 1.2k Cases*, TIMES OF INDIA (Sept. 13, 2024), <https://timesofindia.indiatimes.com/city/bengaluru/kic-slaps-record-rs-3-2-cr-as-penalties-on-govt-officials-resolves-1-2k-cases/articleshow/113353623.cms>.

¹² Right To Information Act § 25.

¹³ SATARK NAGRIK SANGATHAN, *supra* note 5, at 15–17.

KSIC and relevant departments to extract updated data, while the available annual reports of the KSIC (pre-2020) will be analysed to understand reporting trends. Various secondary sources, which include reports from NGOs, including the Satark Nagarik and the Commonwealth Human Rights Initiative, will be reviewed, and various case laws and statutes relevant under the RTI Act will also be analysed and reviewed. Comparative analysis with other commissions, such as those in Maharashtra and Rajasthan, will form part of the framework.

The scope of this study has been limited to the state of Karnataka, the Karnataka State Information Commission being the highest authority of the state under RTI, to get a focused and detailed analysis. However, the paper's limitations stem from the fact that the official data post 2020 is not available due to the failure of the commission to publish the annual report, limiting the reliance on RTI enquiries and secondary sources.

Even with these limitations, the significant academic, policy, and civic values are embedded in this study. This paper fills a gap in understanding the functioning of the KSIC at a time when RTI is increasingly used to expose corruption, delays in welfare schemes, and misuse of funds. The evaluation of the institutional accountability within the mechanism designed to guarantee transparency, the paper will aim to provide evidence for policy recommendations to strengthen public access to information. The research will provide evidence-based policy recommendations to strengthen public access to information. Further, by evaluating the institutional accountability within the mechanisms designed, the result will be guaranteed accountability. The findings of this paper will be relevant to a plethora of stakeholders, which is not limited only to scholars, but also will include civil society organisations, activists, the media, and all those who play a pivotal role in safeguarding the promise under the RTI Act. In doing so, the research aspires to contribute toward reinvigorating one of India's most transformative legislations by ensuring that its watchdog institutions remain robust, transparent, and accountable.

Literature Review

The Right to Information Act, 2005 (RTI Act) has attracted considerable scholarly attention as a transformative instrument for ensuring transparency and accountability in governance. Scholars consistently highlight the Act's normative foundation in the constitutional right to freedom of speech and expression under Article 19(1)(a), underscoring its role in empowering citizens to participate in governance.

Yannoukakou and Arakaat, at the conceptual level, have argued that government information and access to it are prerequisites for civil rights in a democracy and also institutional rights. The authors have highlighted that there is a connection between the right to information and open government data, contending that proactive disclosure and administrative reforms are essential for genuine transparency.¹⁴ On the same note, Jain also states that the RTI Act is a fundamental right and not a discretionary grant, which has its authority from the Constitution of India under Article 19(1)(a). He further stresses that a narrowly defined exception must be given in the name of public interest, and the transparency must be maximised¹⁵. Kumaiyan and Padalia have a complementary view of this. They conceptualize the RTI Act as a new age social software that transforms the state into an accountable and transparent one, fostering an active citizenship.¹⁶

There are a number of studies that emphasize that the RTI acts as a catalyst for good governance. Chennupati notes that by dismantling colonial secrecy regimes, the Act seeks to institutionalise accountability and citizen empowerment. He, however, identifies the persistent challenges, such as the backlog of cases, appointments that are politically driven to the post of information commissioners, and the very low public awareness.¹⁷ Oberoi similarly observes that despite the Act's enactment, Indian governance continues to be plagued by corruption and systemic opacity. The author puts forth the importance of the information commission as an institution and gives a warning about the absence of time-bound protocols that contribute significantly to the delays in the process of appeal.¹⁸ Echoing this, Jain emphasises that informed citizens are the "cornerstone of democracy" but recognises the tension between transparency and confidentiality within administrative practice.

The functioning of Information Commissions has drawn critical scrutiny. Dhaka has provided a detailed analysis of the jurisprudential aspect of their power under sections 18 to 20, noting that they have a quasi-judicial authority. There has been confusion in the legal interpretations, which has led to a reduction in efficacy. He stresses that the effectiveness of these bodies

¹⁴ Yannoukakou, Aikaterini, & Araka, Iliana, Access to Government Information: Right to Information and Open Government Data Synergy, 147 Proc. Soc. & Behav. Sci. 332–340 (2014)

¹⁵ Anshu Jain, Good Governance and Right to Information: A Perspective, 54 J. Indian L. Inst. 506 (2012).

¹⁶ Ketki Tara Kumaiyan & Munni Padalia, Right to Information: The New Age Social Software, 74 Indian J. Pol. Sci. 61 (2013).

¹⁷ Divakara Babu Chennupati et al., India's Right to Information Act, 2005: A Catalyst for Good Governance, 55 Int'l J.L. & Mgmt. 295 (2013).

¹⁸ Roopinder Oberoi, Institutionalizing Transparency and Accountability in Indian Governance: Understanding the Impact of Right to Information, 11 IOSR J. Human. & Soc. Sci. 41 (2013).

depends on the appointment of competent commissioners and the consistent application of the law.¹⁹ Former Central Information Commissioner, Gandhi, criticizes the judicial interpretations that are restrictive in nature, in particular the *Girish Ramchandra Deshpande*, which narrowed the scope of disclosure under section 8(1)(j). He states that shielding vital information on public officials from scrutiny will undermine the RTI's original purpose²⁰. Shreyaskar has highlighted that statutory exemptions under sections 8,9, and 24, joined together with resistance from bureaucrats, have been misused strategically to frustrate the disclosure of the vital information. He warns that India's transition "from secrecy to transparency" cannot be achieved without systemic reforms to curb administrative opacity.²¹

Additional insights are provided by the empirical studies. The analysis by Siwach of the SIC of Haryana shows weak enforcement, inefficiency, and influence on the appointments by political forces, which has undermined the role of the watchdogs of transparency and reduced them to mere "scarecrows."²² Reddy and Raghavan's research on the need for information by Karnataka's judicial officers shows the gaps in access to organised information, despite the framework of RTI, which points out systemic barriers.²³

To look at as a whole, the literature highlights the three key themes that are the normative justification of RTI as a constitutional and human rights imperative, secondly, the gap that exists between the legislative promise and the performance of the institution, and lastly the challenges that confront the Information Commission, which include backlogs, poor appointments, judicial constraints, and weak enforcement. Yet, there remain research gaps. The connection between RTI and OGD has been unexplored. There is a requirement for scrutiny of the political economy of the information commissioner, and individual commissions, like the Karnataka State Information Commission, have not been studied in a systematic form. This study will aim to address the gap by doctrinal examinations of KSIC's performance between the years 2020 and 2024, placing it within the broader national discourse on the issue of transparency and

¹⁹ Rajvir S. Dhaka, *The Information Commissions in India: A Jurisprudential Explication of Their Powers and Functions*, 64 *Indian J. Pub. Admin.* 703 (2018).

²⁰ Shailesh Gandhi, *Right to Information Constricted*, 52 *ECON. & POL. WEEKLY* 22 (2017)

²¹ PANKAJ K.P. SHREYASKAR, 'Known Unknowns' of RTI: Legitimate Exemptions or Conscious Secrecy', 49 *Econ. & Pol. Wkly.* 32 (2014).

²² Rajkumar Siwach, *Adjudicators of the RTI Regime: A Critical Analysis of the Performance of State Information Commission, Haryana*, 64 *Indian J. Pub. Admin.* 717 (2018).

²³ K.V. Govinda Reddy & S. Srinivasa Raghavan, *Information Needs and Requirements of Judicial Officers of Karnataka State: A Study*, 58 *J. Indian Libr. Ass'n* 1 (2022).

accountability.

Establishment and Composition of KSIC

The Karnataka State Information Commission (KSIC) was formally established in compliance with Section 15 of the Right to Information (RTI) Act, 2005, which mandates each state to constitute its own Information Commission.²⁴ The constitutional foundation of the Commission lies in Article 19(1)(a) of the Constitution of India, which guarantees the fundamental right to freedom of speech and expression. Since access to information is intrinsic to this freedom, the KSIC functions as a statutory body to enforce it. The Commission is headquartered in Bengaluru and exercises jurisdiction over all districts of Karnataka.²⁵

The Commission is headed by the State Chief Information Commissioner (SCIC) and may include up to ten State Information Commissioners (ICs)²⁶. Appointments are made by the Governor of Karnataka on the recommendation of a selection committee consisting of the Chief Minister, the Leader of the Opposition, and a Cabinet Minister nominated by the Chief Minister.²⁷ The members who are nominated are to be persons of eminence in fields like administration, journalism, law, social service, or other relevant disciplines. Commissioners hold office for a term of three years or until they attain the age of 65 years, whichever is earlier. They are not eligible for reappointment, and their service conditions are equivalent to those of an Election Commissioner.²⁸ However, there have been delays in filling vacancies, which result in periods where the functioning of the commission is not at full strength. These gaps have significantly contributed to the mounting pendency of cases in the state.²⁹

Jurisdiction and Powers of KSIC

The KSIC has extensive quasi-judicial powers under the RTI Act, with jurisdiction covering all public authorities in Karnataka, including government departments, state-owned enterprises, statutory bodies, and local self-government institutions.³⁰ In cases where no public information officer has been appointed, refusal of applications, delay in information beyond the prescribed

²⁴ Right to Information Act, No. 22 of 2005, § 15 (India).

²⁵ Karnataka State Information Commission, *About Us*, <https://sic.karnataka.gov.in> (last visited Sept. 5, 2025).

²⁶ Right to Information Act § 15(2)

²⁷ *Id.* § 15(3).

²⁸ *Id.* § 16(5).

²⁹ SATARK NAGRIK SANGATHAN, *Report Card of Information Commissions in India 2022*, at 12 (2022)

³⁰ Right to Information Act § 2(h).

time, or when the information given is not correct, misleading, or incorrect, the Commission has the power to inquire into the complaints under Section 18³¹.

As per Section 19, the KSIC functions as the second appellate authority, and hearing appeals are filed by applicants who are dissatisfied with the decisions of departmental First Appellate Authorities (FAAs). ³²The commission is empowered to impose penalties of Rs 250 per day for the default by the PIO in giving information. ³³If there is a delay or denial of information that results in losses suffered by the applicants, the commission can recommend disciplinary action against the errant official. Furthermore, the KSIC is required to prepare and submit the annual report on its performance to the state government, which must be placed before the legislative assembly under section 25³⁴. Through these functions, the KSIC acts both as a remedial body for citizens and as a supervisory authority ensuring that the RTI mandate is effectively implemented across Karnataka.

Statistical Overview of Cases Handled Since Inception

The KSIC has witnessed a persistent increase in the caseload since its inception in 2005, which reflects that there is a demand for accountability and transparency from the state agencies.³⁵In its early years (2006–2010), the Commission received a moderate number of appeals and complaints as public awareness about RTI gradually expanded. There was a relatively high rate of cases being disposed of during this period, which ensured smooth functioning.³⁶

There has been a significant surge in the number of second appeals between 2001 and 2016, which indicates a growth. On average, the KSIC received 10,000-12,000 cases, but it could not manage to dispose of them in a similar phase; because of this, there is a steady increase and accumulation of cases that are pending. ³⁷ The studies indicate that the KSIC has imposed penalties in less than 5% of eligible cases. That points out that there is a weak enforcement of accountable provisions.³⁸ The absence of the annual reports since 2020 is compounding the problem, further creating the transparency gap within the limits of public access and the

³¹ *Id.* § 18.

³² *Id.* § 19.

³³ *Id.* § 20.

³⁴ *Id.* § 25.

³⁵ COMMONWEALTH HUMAN RIGHTS INITIATIVE, *State Transparency Report: Karnataka*, at 8 (2017)

³⁶ *Id.*

³⁷ *Id.* at 12.

³⁸ SATARK NAGRIK SANGATHAN, *supra* note 18, at 18.

commission itself to update the official statistics.³⁹

Causes of Delay in Disposal of Second Appeals and Complaints

The delay in disposal of second appeals and complaints before the Karnataka State Information Commission (KSIC) is the result of a combination of institutional weaknesses, administrative neglect, and weak enforcement mechanisms. There are vacancies in the posts of the state information commissioners, which is the primary and critical factor. The problem has been particularly acute in the state of Karnataka, as observed nationally, various other state commissions operate with reduced strength. Several state commissions, which include the state commission of Karnataka, have been functioning with as few as one or two commissioners, leading to an inability to keep pace with the caseload, which has been rising. This was researched in a study of 2023 by Satark Nagarik Sangathan.⁴⁰ This directly translates into mounting pendency, since appeals and complaints far outnumber the Commission's disposal capacity.

Second, the volume of appeals has far exceeded disposal rates. A 2019 report in The Economic Times revealed that the KSIC was burdened with nearly 19,289 pending appeals and complaints, of which approximately 12,000 were already in the hearing stage, 4,000 were awaiting assignment, and nearly 3,000 had not even been scheduled.⁴¹ This demonstrates the gap between inflow and disposal, which widens every year as demand for information grows while the Commission's efficiency stagnates.

Third, there have been frequent ignoring of hearing notices, skipping proceedings, and delays in compliance even after the orders have been passed, with little fear of consequences, which has worsened by the non-compliance of the public information officer (PIO), which has worsened the backlog. This has been reported by the RTI activities in Karnataka.⁴² Despite Section 20 of the RTI Act empowering the Commission to penalize PIOs at ₹250 per day up to

³⁹ *Id.* at 25

⁴⁰ SATARK NAGRIK SANGATHAN, *Report Card on the Performance of Information Commissions in India 2023-24* 6–8 (2023), <https://www.snsindia.org/wp-content/uploads/2023/10/Report-Card-Key-findings-2023-FINAL.pdf>

⁴¹ *Information Commission Has a Huge Backlog of Cases in Karnataka*, ECON. TIMES (Feb. 13, 2019), <https://m.economictimes.com/news/politics-and-nation/information-commission-has-a-huge-backlog-of-cases-in-karnataka/articleshow/67971878.cms>

⁴² *Id.* (quoting RTI activists criticizing PIOs for repeated non-appearance).

₹25,000, studies show that such penalties are imposed in fewer than 5% of eligible cases.⁴³ This creates a culture of impunity that clogs the system.

Lastly, the limited use of digitization, poor staff, infrastructural deficits, procedural rationalities, and the halt caused by COVID-19 have delayed hearings and cases in a dramatic way. Hearings are scheduled months apart, leading to an average wait time of several years before final disposal.⁴⁴ These have cumulatively built a clog in the system that has belied the very intention of the RTI Act by denying access to information within the time frame stipulated.

Reasons for Non-Publication of Annual Reports Since 2020

The KSIC's failure to publish annual reports after 2020 represents a serious violation of Section 25 of the RTI Act, which makes such reporting mandatory. The problem has its roots in institutional apathy, political indifference, and weak accountability mechanisms. According to a Times of India report, the then Chief Information Commissioner of Karnataka admitted that annual reports for 2020-21 and 2021-22 had not been published because several government departments failed to supply the required data: only three departments withheld information in 2020-21, but this number ballooned to twenty-four in 2021-22⁴⁵. While this explanation shifts blame onto departments, critics argue that it reflects the Commission's failure to assert its statutory authority over defaulting bodies.

The lapse is not limited to Karnataka but represents a national crisis of transparency. In the year 2024, a report by Satark Nagarik Sangathan 2024 pointed out that 18 of 29 Information Commissions (62%) in India did not publish their 2022-23 annual reports, and several, like Karnataka, have not published any report for years.⁴⁶ More strikingly, the study revealed that Karnataka had not published an annual report since 2016-17, making it one of the worst performers in the country.⁴⁷ The absence of such reports deprives both the legislature and the public of crucial data on the Commission's performance, including pendency rates, disposal

⁴³ SATARK NAGRIK SANGATHAN, *supra* note 1, at 18

⁴⁴ *Id.* At 12–15.

⁴⁵ Shreyas H. S., *Karnataka: Violating RTI Act, Info Panel Fails to Publish Annual Reports*, TIMES OF INDIA (Feb. 22, 2023), <https://timesofindia.indiatimes.com/city/bengaluru/karnataka-violating-rti-act-info-panel-fails-to-publish-annual-reports/articleshow/98135569.cms>

⁴⁶ *Major Need for Reform in Information Commissions: RTI Report Card*, SABRANG INDIA (Oct. 14, 2024), <https://sabrangindia.in/major-need-for-reform-in-information-commissions-rti-report-card-on-the-performance-2023-24/>

⁴⁷ SATARK NAGRIK SANGATHAN, *supra* note 1, at 25

statistics, and penalties imposed on errant officials.

This failure also highlights the lack of enforcement mechanisms within the RTI framework. Unlike delays in case disposal, where penalties can be imposed on PIOs, the Act does not prescribe consequences for commissions failing to submit annual reports.⁴⁸ Combined with the state government's indifference in tabling reports before the Legislative Assembly, this has created a culture of institutional opacity within an institution meant to safeguard transparency. The credibility of the KSIC has thus suffered significantly, as it fails to meet its own obligations under the very law it is entrusted to enforce.

Institutional Constraints Impacting KSIC's Performance

The performance of the Karnataka State Information Commission (KSIC) is significantly hindered by institutional constraints that are both structural and functional in nature. The foremost constraint is the chronic shortage of Information Commissioners. In recent years, the KSIC has operated with far fewer commissioners than the statutory maximum of eleven (one Chief and ten State Commissioners), leaving thousands of cases to be handled by a handful of officers.⁴⁹ The Supreme Court in *Anjali Bhardwaj v. Union of India* criticized this practice nationally, holding that failure to fill vacancies violates the spirit of the RTI Act and frustrates citizens' fundamental right to information.⁵⁰

Another limitation in the operation is the insufficiency of proper infrastructure and staffing backup. In contrast to some other commissions that have computerized their processes, the KSIC still heavily depends on manual systems for case management. This delays hearings, causes inconvenience in tracking cases, and leads to procedural lags.⁵¹ There is a failure to offer real-time information on pendency of cases, penalty orders, or compliance statistics on the official website of the KSIC, though it is in operation, but to a very limited extent.⁵²

Thirdly, there is a lack of effective enforcement powers. Although the KSIC can sanction defaulting PIOs under Section 20 of the RTI Act, it has no power to enforce compliance or

⁴⁸ Right to Information Act, No. 22 of 2005, § 25 (India).

⁴⁹ Right to Information Act, No. 22 of 2005, § 15 (India).

⁵⁰ *Anjali Bhardwaj v. Union of India*, (2019) 18 SCC 246 (India).

⁵¹ SATARK NAGRIK SANGATHAN, *Report Card on the Performance of Information Commissions in India 2023–24*, at 14 (2023), <https://www.snsindia.org/wp-content/uploads/2023/10/Report-Card-Key-findings-2023-FINAL.pdf>.

⁵² Karnataka State Information Commission, *Home Page*, <https://sic.karnataka.gov.in> (last visited Sept. 5, 2025).

prosecute officials who habitually disregard orders.⁵³ This "toothless watchdog" image weakens deterrence and promotes non-compliance by departments. Lastly, financial reliance on the state government hinders the Commission's independence. Budgetary provision is usually insufficient, rendering the KSIC incapable of increasing manpower or enhancing systems.⁵⁴ Collectively, these institutional weaknesses impair the Commission's ability to act as an effective guardian of transparency in Karnataka.

KSIC Compared with Other State Information Commissions

In comparison to other State Information Commissions (SICs) in India, the KSIC is not very efficient or transparent. In the 2023–24 Report Card on Information Commissions published by Satark Nagrik Sangathan, the KSIC has one of the highest pendency rates, with cases usually taking more than two years for disposal.⁵⁵ In contrast, some commissions, such as those in Mizoram and Sikkim, have relatively low pendency due to fewer cases and faster disposal rates.⁵⁶

On transparency, the KSIC's record is equally weak. Where the commissions in states such as Maharashtra and Rajasthan regularly publish penalty orders and disposal statistics on their websites, Karnataka has not published an annual report since 2016–17, despite Section 25 of the RTI Act mandating annual reporting.⁵⁷ Because of this failure, both public trust and legislative oversight in the state are undermined. Some commissions have adopted online filing systems and hearing schedules, and the KSIC has lagged behind in this discourse.⁵⁸

According to an analysis by Sabrang India, 62% of India's information commissions have failed to publish an annual report.⁵⁹ This makes the overall state part of this failure, not only Karnataka, which shows that it is a nationwide deficit in transparency. The KSIC's inordinate delay in publishing the report, as well as its huge backlog of cases, which are of a homogeneous nature, make it one of the weakest commissions in the country. Even though the RTI was

⁵³ Right to Information Act § 20.

⁵⁴ Shreyas H. S., *Karnataka: Violating RTI Act, Info Panel Fails to Publish Annual Reports*, TIMES OF INDIA (Feb. 22, 2023), <https://timesofindia.indiatimes.com/city/bengaluru/karnataka-violating-rti-act-info-panel-fails-to-publish-annual-reports/articleshow/98135569.cms>

⁵⁵ SATARK NAGRIK SANGATHAN, *supra* note 3, at 18–22.

⁵⁶ *Id.* At 10–11.

⁵⁷ *Id.* At 25.

⁵⁸ Central Information Commission, *RTI Online Portal*, <https://rtionline.gov.in> (last visited Sept. 5, 2025).

⁵⁹ SabrangIndia, *Major Need for Reform in Information Commissions: RTI Report Card on the Performance, 2023–24* (Oct. 14, 2024), <https://sabrangindia.in/major-need-for-reform-in-information-commissions-rti-report-card-on-the-performance-2023-24/>. Sabrang

designed as a tool of participatory democracy, the comparative inefficacy of the KSIC serves to indicate how state apathy and institutional slowness can erode this constitutional right.

Conclusion

The Karnataka State Information Commission was conceived as a cornerstone of transparency and accountability under the Right to Information Act, 2005. Rooted in the constitutional guarantee of freedom of speech and expression under Article 19(1)(a), the Commission was expected to ensure that citizens' right to know became an enforceable reality. In practice, however, the experience of the KSIC reveals the deep tension between statutory design and institutional performance.

Although the Commission has provided an important avenue for redress in cases of denial or delay of information, its effectiveness has been consistently hampered by systemic shortcomings. Chronic vacancies in the posts of Information Commissioners, particularly during critical phases, have created prolonged delays in the disposal of cases and contributed to an ever-growing backlog. Despite possessing quasi-judicial powers, the KSIC has failed to use its enforcement authority effectively; penalties against erring Public Information Officers are imposed in only a fraction of deserving cases, thereby weakening the deterrent effect envisaged under Section 20 of the RTI Act.

No less troubling is the Commission's neglect in publishing reports on an annual basis post-2016–17, which is in violation of Section 25 of the Act. This default robs the legislature and the public of vital information relating to the functioning of the institution and results in a state where the custodian of transparency itself works with secrecy. Such institutional lethargy harms not only the public's trust but also impinges on legislative oversight. The problem is compounded by bad infrastructure, overdependence on manual processes, and low levels of digitization, all of which negatively impact efficiency and delay procedures.

Compared to other State Information Commissions, the KSIC is amongst the weakest in terms of transparency and efficiency. Maharashtra and Rajasthan, while having similar constraints, have taken some steps to publish penalty orders, computerize procedures, and release real-time data to the public ahead of time. Karnataka's relative inaction illustrates how political and administrative inertia at the state level are capable of preventing the implementation of a centralized statute designed to enable citizens in a uniform way throughout the country.

While on paper, the law is meant to strengthen the rights of the citizens, the KSIC's case represents a paradox of the enforcement of the RTI law; ultimately, the enforcement depends on the capacity and will of the institutional agents. Unless there is an immediate overhaul, which involves filling the vacancies without delay, making the enforcement systems even stronger, enhancing financial and functional autonomy, enforcing strict compliance with reporting requirements, and introducing technology-driven processes, the risk is that the right to information will be a hollow promise. This erosion is especially ominous for an institution whose main mandate is to enforce participatory democracy. Hence, the KSIC needs to be bolstered, not only from the point of view of administration, but also to protect the constitutional, democratic culture of transparency and accountability in Karnataka.