

Chhattisgarh High Court, Right to Information Rules, 2005

CHHATTISGARH

India

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Rule

CHHATTISGARH-HIGH-COURT-RIGHT-TO-INFORMATION-RULES-2005 of 2005

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Chhattisgarh High Court, Right to Information Rules, 2005Published vide Notification No. 10183/3234/21-B/05, dated 30-12-2005, C.G. Rajpatra (Asadharan), dated 2-1-2006, at pages 5-5 (8)In exercise of powers conferred under Section 28 of Right to Information Act, 2005, the Chief Justice of High Court of Chhattisgarh makes the following rules to enforce the provisions of Right to Information Act, 2005.

Chapter I

General

1. Short title and commencement.

- (i) Under Right to Information Act these Rules for High Court may be called as Chhattisgarh High Court, Right to Information Rules, 2005.(ii)These Rules shall come into force from the date of its publication in the Gazette.

2. Office Hours.

- In general, office hours shall be from 10.00 A.M. till 5.00 P.M.

Chapter II

Procedure for Application and its Disposal

3.

To get information under the Right to Information Act, a self-signed application in Form-A shall be produced before the Public Information Officer affixing Court fees of Rs. 12/- (Rupees Twelve only) on the said application. If the applicant desires to get the information by post, he shall send a self addressed registered envelope, bearing necessary postal stamps, along with the application. Procedure to be Adopted after Presentation of Application

4.

The application submitted before the Public Information Officer shall be registered in the register available in the office, the records regarding the information, desired in the application shall be requisitioned in his office and the applicant shall be instructed to appear on the 5th day from the date of submission of application. After receipt of record from the concerning section and after having confirmed that the desired information can/cannot be given to the applicant, the Public Information Officer shall accordingly inform.

5.

If the information desired by the applicant can be provided or the inspection of record can be carried out as per rules, the Public Information Officer shall inform the applicant in Form-B about the fee prescribed for supplying of such information before providing the desired information. In case the application is received by post, the Public Information Officer shall inform the applicant about the prescribed fee in Form-B through the envelope received along with the application and the desired information or record shall be supplied for inspection only after the deposit of requisite fees as per Rule 14. If applicant get the information by post, applicant shall submit self-addressed Registered envelope with necessary postal stamps along with the requisite fees). But, if the said fee is not deposited within 15 days, the application shall stand rejected.

6.

After receipt of fee, a date not exceeding seven days shall be fixed for preparation and providing information to the applicant. So far as possible, arrangement shall be made to provide the desired information by the said date. If, for any reason, the information could not be provided on the prescribed date, next date shall be given to the applicant, and the intervening period of above two dates shall not exceed 7 days. If, even, on the said date, due to any reason, the information could not be supplied to the applicant, Public Information Officer shall fix another date, but the total extended period shall not be more than 30 days. The Information shall necessarily be provided within 30 days from the date of receipt of fees. With respect to application received by post, the information shall necessarily be sent within 30 days of receipt of fee. If, in respect of furnishing information, the Public Information Officer finds that it is not possible to give information under Sections 8 and 9 of the Act, he shall inform the applicant about rejection of said application, in Form-C. But, if the information is to be sent by post, the applicant shall bear the postal expenses.

7.

If the applicant is illiterate and is unable to present the application in writing, the Public Information Officer shall help him to the extent and shall get the application produced in writing.

8.

In this regard, a Register shall be maintained in the office of Public Information Officer which shall be in Form-D containing following particulars :-

- 1. Registration No. of application.**
- 2. Date of Receipt of application.**
- 3. Name and complete address of the applicant.**
- 4. Date of appearance of the applicant.**
- 5. Details of the desired information.**
- 6. Source of information.**
- 7. Date of dispatch of application to the concerning department.**
- 8. Date of receipt of information.**
- 9. Date of disposal of application.**
- 10. Decision/note of Public Information Officer on the application**
- 11. Mention of fee affixed on the application.**
- 12. Applicant's signature, which shall be the acknowledgement.**
- 13. Order of First Appeal.**
- 14. Order of Second Appeal.**

15. Remarks.

After preparation of the desired information, Public Information Officer shall certify it by putting his signature. Seal along with following details and information shall be supplied to the applicant after taking entries in it.

- 1. No. and date of submission of application.**
- 2. The date fixed for appearance of the applicant**
- 3. Date of appearance of applicant.**
- 4. Date of preparation of information.**
- 5. Date of supply of information.**
- 6. Details of fee.**
- 7. Signature of officer preparing information.**
- 9.**

If, the applicant seeks any information with respect to Third party (other person) he shall send/submit an application with said details, bearing court fee stamp of Rs. 12/- (Rs. Twelve only) along with a registered envelope bearing necessary postal stamps, name and complete address of the said other person to the Public Information Officer. On receipt of such application, Public Information Officer shall register the application in the register maintained in his office for that purpose. The Public Information Officer shall then send the copy of said application to that other person and on receipt of his reply, shall dispose of the application after providing opportunity of hearing to both the parties. If the information desired by the applicant can be provided, the Public Information Officer shall inform the applicant about necessary fee for the desired information and on receipt of necessary fee along with the registered envelope bearing address of the applicant, the information shall necessarily be sent to applicant within 30 days if not present in person. If it is not possible to supply the information desired by the applicant, the applicant shall be intimated in Form-C, for which the applicant has to give self addressed envelope :Provided, that if information, which includes certified copy desired by the applicant, is regarding judicial procedure or record, he shall obtain the information as per Chapter 10 of M.P. High Court Rules and Orders and in accordance with the Chhattisgarh Civil Court Rules and Orders.Procedure For Inspection of Records

10.

If after having considered the application filed by applicant, the Public Information Officer finds appropriate that the applicant can be granted permission to inspect the records and if he grants permission, the Public Information Officer shall requisition the record, desired by applicant for perusal, from the concerning sections and shall give to applicant to inspect in his presence, in the office hours, between 2.00 P.M. and 4.00 P.M. During inspection of record, applicant shall be allowed to use the pencil only. Information desired by the applicant shall be noted by pencil only. If the applicant brings any other writing instrument other than pencil, he shall deposit the same with Public Information Officer thereafter he shall initiate the inspection of record.

11.

During inspection, applicant shall not have any right to make any note or put any mark on the record. During inspection of record, if applicant wishes to make notes he shall note on plain paper and after inspection he shall show the note to Public Information Officer, who after being satisfied that applicant has not tampered the record in any way, shall return the note of applicant to him :Provided, the applicant shall submit application for inspection of record related to Court, as per Chapter 11 of M.P. High Court Rules and Orders.

Chapter III

Appeal

12.

Any person who does not get any decision within the time prescribed in provision (a) of sub-section (3) or sub-section (1) of Section 7, as the case may be, or who is aggrieved with the decision of Public Information Officer or Assistant Public Information Officer, as the case may be, can prefer appeal in writing to the Registrar General, High Court of Chhattisgarh, Bilaspur, who is the first Appellate Authority. The Memo of said appeal shall contain in brief, the particulars regarding the case, and the grounds of appeal. With the appeal filed in such manner, certified copy of order passed by Public Information Officer shall be annexed, which shall be disposed of by the Registrar General, after providing opportunity of hearing to the parties. The order of appeal shall be intimated to the appellant.

13.

A register (Form-E) shall be maintained in the Office of Registrar General, for this, the appeal preferred by applicant shall be registered and following details shall be entered in it.

1. Registration No.

2. Name and particulars of applicant/appellant.

3. Name and particulars of respondent/non-applicant.

4. Details of the order of Public Information Officer against which appeal is preferred.

5. Date of order.

6. Decision.

7. Remark.

After the disposal of appeal preferred by applicant appellant, he shall be made aware of the decision in appropriate manner.

14.

The applicant shall affix Court fee stamp of Rs. 12/- on the application submitted to the Public Information Officer for obtaining information under Right to Information Act :

S.No.	Particulars of documents	Fees
1.	In the Memorandum of First Appeal	Rs. 40/- in the form of Court fees stamp.
2.	For inspection of records	Rs. 10/- per hour in the form of Court fees stamp
3.	On providing information through Xerox	Rs. 10/- per page.
4.	For typed information	Rs. 10/- per page.
5.	On computer printing	Rs. 15/- per page.

Above fees (mentioned in No. 3 to 5) shall be received in cash and credited to treasury under following head :-[^]eq[; 'kh"kZ&0070&mi eq[; 'kh"kZ&800&vU; izkfIr;kWa**

15.

Cash Register shall be maintained by the Public Information Officer with following details :-

Name and address of the applicant	Date of application	Date of deposit of amount with ehallan	Particulars of fees	Refund, if any	Remarks
(1)	(2)	(3)	(4)	(5)	(6)

16.

The applicant living below poverty line shall, on production of the copy of certificate issued by Competent Authority along with application, be provided desired information and copies free of cost under this Rule.

17.

Removal of doubts - If any doubt arises as to the interpretation of any of the provisions of these Rules, the matter shall be referred to the Hon'ble Chief Justice who shall be the authority to decide the same. Note :- Fees, which shall be deposited in the form of Court fees shall be cancelled by the Public Information Officer with a rubber stamp.

Chapter IV Miscellaneous

1. The applications, received for information shall be kept safe for 6 months from the date of application, after the said period, it shall be destroyed by burning after receiving order from the Public Information Officer.

2. The information/copy/inspection with respect to the cases pending in Court shall be obtained from the Court, as per M.P. High Court Rules and Orders.

3. The Public Information Officer shall have the right to make the work distribution amongst the Assistant Public Information Officer.

Form A Application for Information under Section 6 (1) of the Act To, The Public Information Officer (Name of the office with address)

1. Full name of the applicant.

2. Father/Spouse name.

3. Permanent address.

4. Particulars of information solicited

.....

- 5. Address to which information will be sent & in which form.**
- 6. Is this information not made available by the Public Authority.**
- 7. Do you agree to pay the required fee.**
- 8. Whether belongs to BPL category, have you furnished the proof of the same.**
- 9. Whether information is solicited through the registered post, if yes, please attach registered envelope alongwith required postal stamp.**

Place..... Full Signature of the applicant

Date..... Address.....

Form BInformation for PaymentFrom :Name & Designation of the Public Information

OfficerTo,Name of the applicantAddressSir,Please refer to your application dated.....

addressed to the undersigned requesting information on, I am to inform you that the following amount towards cost for providing information may be deposited in case to enable the undersigned to furnish information sought for.Please make payment within a period of fifteen days from the date of receipt of this intimation failing which the application shall be rejected.Fee.....

Place..... Your faithfully

Date..... Public Information Officer

Seal

Form CIntimation of rejectionTo,Name of applicantAddressSir,The undersigned regrets to express his inability to furnish the information asked for on account of the following reasons :-

- 1. It comes under the exempted category covered under Sections 8 and 9 of the Act.**
- 2. Your application was not complete in all respect.**
- 3. The information is contained in published material available to public.**
- 4. You did not pay the required cost for providing information within the prescribed time.**
- 5. The information sought for is prohibited as per Section 24 (4) of the Act.**

6. The information would cause unwarranted invasion of the privacy of any person.

7. The information as sought for by you is available in our Website.....you may download the information.

8. For any other reason, please specify.....

.....
if you feel aggrieved for the above said refusal you may file an appeal before the.....within 30 days of the receipt of this letter.

Place..... Name & Designation of

Date..... Public Information Officer

Form DFormat for the Information Register

Registration No. of application	Date of Receipt of application	Name and complete address of the applicant	Date of appearance of the applicant	Details of the desired information
(1)	(2)	(3)	(4)	(5)

Source of information	Date of dispatch of application to the concerning department	Date of receipt of information	Date of disposal of application	Decision/note of Public Information Officer on the application
(6)	(7)	(8)	(9)	(10)

Mention of fee affixed on the application	Applicant's Signature, which shall be the acknowledgment	Order of First Appeal	Order of Second Appeal	Remarks
(11)	(12)	(13)	(14)	(15)

Form EFormal of the Register for Registration of Appeal

Registration Number	Name and particulars of applicant/appellant	Name and particulars of respondent/non-applicant
(1)	(2)	(3)

Details of the order of Public Information Officer against which appeal is preferred	Date of order	Decision	Remarks
(4)	(5)	(6)	(7)