

# **U.P. Kshettra Panchayats and Zila Panchayats (Inspection of Records and Giving of Copies) Rules, 1968**

UTTAR PRADESH

India

## **U.P. Kshettra Panchayats and Zila Panchayats (Inspection of Records and Giving of Copies) Rules, 1968**

### **Rule**

### **U-P-KSHETTRA-PANCHAYATS-AND-ZILA-PANCHAYATS-INSPECTION of 1968**

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U.P. Kshettra Panchayats and Zila Panchayats (Inspection of Records and Giving of Copies) Rules, 1968Published vide Notification No. 495-B/33-2-4 (10)-65, dated 28th September, 1968In exercise of the powers under Section 237 of the Uttar Pradesh [Kshettra Panchayats] [Substituted by U.P. Act No. 9 of 1994.] and [Zila Panchayats] [Substituted by U.P. Act No. 9 of 1994.] Adhiniyam, 1961 (U. P. Act No. 33 of 1961), the Governor is pleased to make the Uttar Pradesh [Kshettra Panchayats] [Substituted by U.P. Act No. 9 of 1994.] and [Zila Panchayats] [Substituted by U.P. Act No. 9 of 1994.] (Inspection of Records and Giving of Copies) Rules, 1968, after their previous publication with Notification No. 2724-B/33-2-4 (10)-65, dated December 20, 1967, as required under subsection (2) of Section 237 of the said Adhiniyam :

### **1. Short title and commencement.**

(1)These Rules may be called the Uttar Pradesh [Kshettra Panchayats] [Substituted by U.P. Act No. 9 of 1994.] and [Zila Panchayats] [Substituted by U.P. Act No. 9 of 1994.] (Inspection of Records and Giving of Copies) Rules, 1968.(2)They shall come into force with effect from the date of their publication in the Gazette.

### **2.**

Except as otherwise provided by or under the Uttar Pradesh [Kshettra Panchayats] [Substituted by

U.P. Act No. 9 of 1994.] and [Zila Panchayats] [Substituted by U.P. Act No. 9 of 1994.] Adhiniyam, 1961, no copy of, or extract from, any record or document belonging to, or in the possession of a [Kshettra Panchayat] [Substituted by U.P. Act No. 9 of 1994.] or a [Zila Panchayat] [Substituted by U.P. Act No. 9 of 1994.], as the case may be, shall be given and no inspection of any such record or document be allowed to any person without the permission in writing to the Khand Vikas Adhikari in the case of a [Kshettra Panchayat] [Substituted by U.P. Act No. 9 of 1994.] and the Mukhya Adhikari in the case of a [Zila Panchayat] [Substituted by U.P. Act No. 9 of 1994.] :Provided that neither the copy of the Minute Book nor permission for inspection thereof shall be given.

### **3.**

Subject to the provisions of Rule 2, any person wishing to inspect any record or document or to obtain any copy thereof, or extract therefrom, shall apply in writing to the Khand Vikas Adhikari or the Mukhya Adhikari, as the case may be, specifying clearly the record or document in question. The application for a copy shall bear a Court fee of fifty paise under clause (a) of Article 1 of Schedule II of the Court Fees Act, 1870, as amended in its application to Uttar Pradesh and the copy, if certified to be true copy by the officer concerned, shall be written on a non-judicial stamp of the value indicated in Schedule I-B of Article 24 of the Indian Stamp Act, 1899, as amended in its application to Uttar Pradesh.

### **4.**

Applications may be made either in person or by pre-paid post. The application shall contain the full address of the applicant and if the copy is to be sent to him by post, it shall be accompanied with a self-addressed envelope.

### **5.**

No permission shall be given for inspection of any correspondence between the [Kshettra Panchayat] [Substituted by U.P. Act No. 9 of 1994.] or the [Zila Panchayat] [Substituted by U.P. Act No. 9 of 1994.], as the case may be, and the State Government or any officer of the State Government except with the previous sanction of the State Government or the officer with whom the correspondence took place, nor shall it be allowed in any case in which the inspection is, in the opinion of the officer referred to in Rule 2, detrimental to the interests of the [Kshettra Panchayat] [Substituted by U.P. Act No. 9 of 1994.] or the [Zila Panchayat] [Substituted by U.P. Act No. 9 of 1994.], as the case may be. This rule shall also apply to copies of such records and extracts therefrom.

### **6.**

No extracts from a document shall be given which, when read apart from the rest of the document of the file, are capable of misrepresenting the final order passed regarding any matter dealt with in that file.

## 7.

The Khand Vikas Adhikari or the Mukhya Adhikari, as the case may be, shall, while rejecting an application, record the reasons for such rejection.

## 8.

The Khand Vikas Adhikari or the Mukhya Adhikari, as the case may be, may, if he deem fit, inform the applicant of the reasons for the rejection of his application.

## 9.

(1) The following fees shall be charged :

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|--------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| For production or inspection of                        |                                                                                                                                                                                             |
| (a) any document or record other than the minute book. | ... Rupees two.                                                                                                                                                                             |
| For copying or making extracts                         |                                                                                                                                                                                             |
| (b) from any document or officer record.               | ... Paise fifty for every ninety words subject to a minimum fee of Rupees two, if the original is in tabular form the rate shall be double.                                                 |
| (c) For attesting any copy.                            | ... Rupee one.                                                                                                                                                                              |
| (d) For copy of plan                                   | ... Such fee as may be determined by Khand Vikas Adhikari or the Mukhya Adhikari, as the case may be, according to the size and details of the plan subject to the minimum of Rupees eight. |

(2) The copies of records or documents shall normally be made available to the applicant within seven days after the payment of the fees and if the copy of any record or document is urgently required by the applicant, the applicant shall be required to pay double the normal rates of fees prescribed in sub-rule (1) and copies of such record or document shall be made available to him within three days of such payment: Provided that if due to some unavoidable circumstances; it is not possible to supply copies of records or documents within the period specified above, the Khand Vikas Adhikari or the Mukhya Adhikari, as the case may be, may extend the period up to thirty days in the case of ordinary demand application and up to fifteen days in the case of urgent demand application.

## 10.

The fees prescribed in Rule 9 shall be paid in advance in cash to be deposited with the Accountant of the [Kshettra Panchayat] [Substituted by U.P. Act No. 9 of 1994.] or the [Zila Panchayat] [Substituted by U.P. Act No. 9 of 1994.], as the case may be, as soon as the application for inspection or giving of copies or extracts of records or documents is allowed.

## 11.

No fee will be charged from Pramukh, Up-Pramukh, Adhyaksha, Up-Adhyaksha or any member of the [Kshettra Panchayat] [Substituted by U.P. Act No. 9 of 1994.] or the [Zila Panchayat] [Substituted by U.P. Act No. 9 of 1994.] if the inspection or copy of the record is required by him in the official discharge of his duties.

## 12.

(1) In inspecting records or documents, the applicant shall observe the following rules : (1) He shall not enter the record room but shall inspect the record in such room as is kept for the purpose by the Khand Vikas Adhikari or the Mukhya Adhikari, as the case may be, in the presence of the Head Clerk. (2) He shall not take pen or ink with him into the room appointed for such inspection. (3) He shall not remove any record from the room in which he is allowed to inspect it. (2) Any person inspecting records may be permitted by the Khand Vikas Adhikari or the Mukhya Adhikari, as the case may be, to take short notes in pencil but no paper or record shall be copied by him.