

High Court of Madhya Pradesh (Right to Information) Rules, 2006

MADHYA PRADESH

India

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Rule

HIGH-COURT-OF-MADHYA-PRADESH-RIGHT-TO-INFORMATION-RULES of 2006

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High Court of Madhya Pradesh (Right to Information) Rules, 2006Published vide Notification No. 15-R (J), dated 19-1-2006, M.P. Rajpatra Part 4 (Ga), dated 17-2-2006 at pages 161-166In exercise of the powers conferred by sub-section (1) of Section 28 of the Right to Information Act, 2005, the Chief Justice of Madhya Pradesh High Court (Competent Authority), hereby makes the following rules :-

1. Short Title and Commencement.

(1)These rules may be called the High Court of Madhya Pradesh (Right to Information) Rules, 2006.(2)They shall come into force from the date of their publication in the Official Gazette.

2. Definitions.

(1)In these rules, unless the context otherwise requires :-(a)"Act" means the Right to Information Act, 2005 (No. 22 of 2005);(b)"Appellate Authority" means designated as such by the Chief Justice of High Court of Madhya Pradesh;(c)"authorized person" means Public Information Officers and Assistant Public Information Officers designated as such by the Chief Justice of Madhya Pradesh High Court;(d)"Form" means the form appended to these rules;(e)"Section" means a section of the Act.(2)Words and expressions used but not defined in these rules shall have the same meaning as assigned to them in the Act.

3. Application for seeking information.

- Any person seeking information under the Act shall make an application in Form 'A' to the authorized person and deposit application fee as per Rule 8 with the authorized person. The authorized person shall duly acknowledge the application as provided in Form 'B'.

4. Disposal of application by the authorized person.

(1) If the requested information does not fall within the jurisdiction of the authorized person, it shall order return of the application to the applicant in Form 'C' as soon as practicable, normally within fifteen days and in any case not later than thirty days from the date of receipt of the application, advising the applicant. Wherever possible, about the authority concerned to whom the application should be made. The application fee deposited in such cases shall not be refunded. (2) If the requested information falls within the authorized person's jurisdiction and also in one or more of categories of restrictions listed in Sections 8 and 9 of the Act, the authorized person, on being satisfied, will issue the rejection order in Form 'D' as soon as practicable, normally within fifteen days and in any case not later than thirty days from the date of the receipt of the application. The application fee deposited in such cases shall not be refunded. (3) If the requested information falls within the authorized person's jurisdiction but not in one or more of the categories listed in Sections 8 and 9 of the Act, the authorized person, on being so satisfied, shall supply the information to the applicant in Form 'E', falling within its jurisdiction. In case the information sought is partly outside the jurisdiction of the authorized person or partly falls in categories listed in Sections 8 and 9 of the Act, the authorized person shall supply only such information as is permissible under the Act and is within its own jurisdiction and reject the remaining part giving reasons therefor. (4) The information shall be supplied as soon as practicable, normally within fifteen days and in any case not later than thirty days from the date of the receipt of the application on deposit of the balance amount, if any, to the authorized person, before collection of the information. A proper 'acknowledgment' shall be obtained from the applicant in token of receipt of information in Form 'F'

5. Appeal.

(1) Any person :- (a) who fails to get a response in Form 'C' or Form 'D' from the authorized person within thirty days of submission of Form 'A', or (b) is aggrieved by the response received within the prescribed period, appeal in Form 'F' to the Appellate Authority and deposit fee for appeal as per Rule 8 with the Appellate Authority. (2) On receipt of the appeal, the Appellate Authority shall acknowledge the receipt of appeal and after giving the applicant an opportunity of being heard shall endeavor to dispose it of within thirty days from the date on which it is presented and send a copy of the decision to the authorized person concerned. (3) In case the appeal is allowed, the information shall be supplied to the applicant by the authorized person within such period as ordered by the Appellate Authority. This period shall not exceed thirty days from the date of the receipt of the order.

6. Suo motu publication of Information by Public Authority.

(1) The Public Authority may suo motu publish information as per sub-section (1) of Section 4 of the Act by publishing booklets and/or folders and/or pamphlets and up date publications every year as required by sub-section (1) of Section 4 of the Act. (2) Such information may also be made available to the public through information counters, medium of internet and display on notice board at conspicuous places in the office of the authorized person and the Appellate Authority.

7. Charging of Fee.

(1) The authorized person shall charge the fee at the following rates, namely :-

(A) Application Fee :

- | | |
|---------------------------------------------------------------------------------|--------------------------------------|
| (i) Information relating to tenders Documents/bids/quotation/business Contact : | Five hundred Rupees per application. |
| (ii) Information Other than (i) above | Fifty Rupees per application |

(B) Other Fees:

S.No.	Description of information	Price/Fee in Rupees
1	Where the information is available in the form of a priced publication.	Price of the publication so fixed.
2	For other than priced publication.	Cost of the medium or print cost price.

(2) The Appellate Authority shall charge a fee of fifty rupees per appeal. Form 'A' Form of application for seeking information [See Rule 3] I.D. No..... (For official use)

Self Attested Photograph

To, The authorized person.....

1. (a) Name of the Applicant

(b) Father's Name (c) Age (d) Occupation

2. Address

3. Particulars of information-

(a) Concerned Department (b) Particulars of information required - (i) Details of information required (ii) Period for which information asked for (iii) Other details.

4. I state that the information sought does not fall within the restrictions contained in Section 6 of the Act and to the best of my knowledge it pertains to your office.

5. A fee of Rs..... has been deposited in the office of the authorized person vide No.....

dated.....

Place : Signature of Applicant.....E-mail address(if any).....

Date : Telephone No.(office).....(Residence).....

Note:- (i) Reasonable assistance can be provided by authorized person in filling up the Form 'A'.(ii)Please ensure that the Form 'A' is complete in all respect and there is no ambiguity in providing the details of information required.Form 'B'Acknowledgment of Application in Form AI.D. No.....Dated.....

1. Received an application in Form 'A' from Shri/Ms..... Resident of..... under Section.....of the Right to Information Act, 2005.

2. The information is proposed to be given normally within fifteen days and in any case within thirty days from the date of receipt of application. In case it is found that the information asked for cannot be supplied, the rejection letter shall be issued stating reason thereof.

3. The applicant shall have to deposit the balance fee, if any, with the authorized person before collection of information.

4. The applicant shall have to deposit the balance fee, if any, with the authorized person before collection of information.

Place:Date :Signatureand Stamp ofthe Authorized person
Form 'C'Outside the Jurisdiction of the authorized person[See Rule 4(1)]Form No.
F.....Date.....To,Sir/Madam,Please refer to your application, I.D.
No..... dated.....addressed to the undersigned regarding supply of information
on.....

1. The requested information does not fall within the jurisdiction of this authorized person and therefore, your application is being returned herewith.

2. You are requested to apply to the concerned authorized person.

Yours faithfully.Authorized PersonForm 'D'Rejection Order[See Rule 4
(2)]Date.....Form No. F.....To,Sir/Madam,Please refer to your
application, I.D. No..... dated.....addressed to the undersigned regarding supply of
information on-

1. The information asked for cannot be supplied due to following :-

(i).....(ii).....

2. As per Section 19 of the Right to Information Act, 2005 you may file an appeal to the Appellate Authority within thirty days of the issue of this order.

Yours faithfully, Authorized Person. Form 'E' Form of Supply of Information to the Applicant [See Rule 4 (3)] Form No. F..... Date..... To, Sir/Madam, Please refer to your application, I.D. No..... dated..... addressed to the undersigned regarding supply of information on.....

1. The information asked for is enclosed for reference.*

Or The following part of information is being

enclosed.* (i).....(ii)..... The remaining information about the other aspects cannot be supplied due to following reasons*:- (i).....(ii).....(iii).....

2. The requested information does not fall within the jurisdiction of this authorized person.*

3. As per Section 19 of the Right to Information Act, 2005, you may file an appeal to the Appellate Authority within thirty days of the issue of this order.*

Yours faithfully, Authorized Person.* Strike out if not applicable Form 'F' Appeal under Section 19 of the Right to Information Act, 2005 [See Rule 5 (1)] I.D. No..... (For Official use) To, Appellate Authority Address :

1. (a) Name of the Applicant

(b) Father's Name (c) Age (d) Occupation

2. Address

3. Particulars of the authorized person

(a) Name (b) Address

4. Date of submission of application in Form 'A'

5. Date on which 30 days from submission of Form 'A' is over

6. Reasons for appeal :

(a) No response received in Form 'B' or 'O' within thirty days of submission of Form 'A' [5 (1)(a)]. (b) Aggrieved by the response received within prescribed period [5 (1) (b)] (Copy of the reply receipt be attached) (c) Grounds for appeal

7. Last date for filling the appeal. [See Rule 5 (3)]

8. Particulars of Information-

(i) Information requested (ii) Subject (iii) Period

9. A fee of Rs. 50/- for appeal has been deposited with the authority vide Receipt No.....dated.....

Place.....Date.....Signature of Appellant.....E-mail address, if any.....Telephone No. (Office).....(Residence).....Acknowledgment I.D. No.....Dated.....Received an appeal application from Shri/Ms.....resident of..... under Section 19 of the Right to Information Act, 2005. Signature of Receipt Clerk.....Appellate Authority.....Telephone No.....E-mail Address Web site Register (Judicial) Secretary.