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HARYANA GOVT. GAZ. (EXTRA.), DEC. 21, 2009
(AGHN. 30, 1931 SAKA)

[Authorised English Translation]

HARYANA GOVERNMENT
ADMINISTRATIVE REFORMS DEPARTMENT

Notification

The 21st December, 2009

No. S.O. 99/C.A. 22/2005/S. 27/2009.— In exercise of the powers conferred by sub-section (1) read with sub-section (2) of section 27 of the Right to Information Act, 2005 (Act 22 of 2005), the Governor of Haryana hereby makes the following rules providing for information under the said Act, namely :—

Short title and commencement.

1. (1) These rules may be called the **Haryana Right to Information Rules, 2009** commencement.

(2) They shall come into force from **1st January, 2010**.

Definitions

2. (1) In these rules, unless the context otherwise requires,

(a) "Act" means the Right to Information Act, 2005 (Act 22 of 2005);

(b) "Commission" means the Haryana Information Commission, constituted under section 15 of the Act;

(c) "Model Form" means a model form appended to these rules;

(d) "section" means the section of the Act.

(2) The words and expressions used in these rules, but not defined, shall have the same meanings as respectively assigned to them in the Act.

Application for obtaining information sections 2(m), 6 and 27

3. (1) A person who desires to obtain any information admissible under the Act, shall make an application, preferably in Model Form 'A' to the State Public Information Officer and in his absence to State Assistant Public Information Officer along-with fee as specified in sub-rule (1) of rule 5 of these rules.

(2) On the receipt of an application, made under sub-rule (1), the State Public Information Officer or State Assistant Public Information Officer as the case may be, shall give a receipt in token thereof to the applicant.

Deposit of fee. section 6

4. (1) The fee shall be deposited with the State Public Information Officer either in **Cash** against proper receipt, by **Bank Draft**, by **Indian Postal Order** or by **Treasury Challan** in the following Heads of Account :—

Major Head	0070—Other Administrative Services
Sub Major Head	60—Other Services
Minor Head	800—Other Receipts
Sub Head	86—Fee under the Right to Information Act, 2005.

Detailed Head "0070—Other Administrative Services—60—
Other Services—800—Other Receipts—86—Fee
under the Right to Information Act, 2005".

(2) The amount of fee shall be credited to the account as referred in sub-rule (1):

Provided that the Boards, Corporations and other autonomous bodies of the State may get the amount of requisite fee deposited in their own accounts maintained by them.

(3) On receipt of an application, submitted under sub-rule (1) of rule 3, the State Public Information Officer shall scrutinize the application and shall assess how much fee is required to be paid by the applicant for obtaining the information.

(4) The fee assessed under sub-rule (3), shall be intimated to the applicant by the State Public Information Officer, expeditiously, in Model Form 'B' to ensure the delivery of information within time specified under sub-section (1) of section 7 of the Act.

(5) In case the applicant fails to deposit the requisite fee within a period of fifteen days after the issuance of the intimation given to him under sub-rule (4), it shall be construed that the applicant is no longer interested in obtaining the information sought for and his application shall be deemed to have been filed.

5. (1) An application for obtaining any information under sub-section (1) of the section 6 shall be accompanied with a fee of Rs. 50/-.

Quantum of fee.
sections 6 and 7

(2) For providing information under sub-section (1) of section 7, the fee shall be charged from the applicant at the following rates, namely:—

- (a) Rs. 2/- for each page in A-4 or A-3 size paper, created or copied; and
- (b) if information is to be provided on a large size of paper than that specified in clause (a), the actual cost shall be charged.

(3) For providing information under sub-section (5) of section 7, the fee shall be charged from the applicant at the following rates, namely:-

- (a) Rs. 50/- for providing information in a floppy;
- (b) Rs. 100/- for providing information in diskette; and
- (c) if information sought is of such a nature, which is contained in a printed document, of which a price has been fixed, then that information shall be provided after charging the price, fixed for that printed document. However, if only an extract or page of such a printed document is asked for, then a fee of Rs. 2/- per page shall be charged.

(4) No fee for inspection of record shall be charged, if such an inspection is made for one hour only. However, if inspection is made for a period of more than

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one hour, then a fee of rupees ten shall be charged for every fifteen minutes in excess of first hour. Every fraction of the period above fifteen minutes shall be construed as a complete period of fifteen minutes and it shall be charged as full period of fifteen minutes.

Procedure for
filing appeals.
sections 19(1)
and (3)

6. (1) The memorandum of appeal shall contain the following information, namely :—

- (a) name and address of the appellant, including the details of contact telephone/mobile Numbers/e-mail address, if any;
- (b) official designation and address of State Public Information Officer or State Assistant Public Information Officer, as the case may be;
- (c) official designation and address of the Officer against the decision of whom the appeal is preferred;
- (d) particulars of the order including number, if any, against which the appeal is preferred;
- (e) brief facts leading to the appeal
- (f) prayer or relief sought;
- (g) grounds for the prayer or relief
- (h) verification by the appellant; and
- (i) any other information which the Commission may deem necessary for deciding the appeal.

(2) The appellant shall submit three copies of the memorandum of appeal for official purpose.

(3) Every appeal made to the Commission shall be accompanied by the following documents, namely :—

- (a) self attested copies of the Orders or documents against which the appeal is being preferred;
- (b) copies of documents relied upon by the appellant and referred to in the appeal; and
- (c) an index of the documents referred to in the appeal :

Provided that in case complete documents are not furnished, the appeal shall not be rejected but the appellant shall be asked to complete the above formalities.

Procedure for
deciding appeal.
section 19(10)

7. Before deciding an appeal, the Commission shall,—

- (a) serve notice to the concerned persons;
- (b) entertain any evidence in support of appeal, which may be oral or in writing from the concerned persons;

- (c) examine on oath or an affidavits from the persons concerned;
- (d) examine the documents or any records or copies thereof;
- (e) inquire through the authorized office the facts of the appeal or may require facts in detail, if he so deems appropriate, hear the State Public Information Officer or any other senior officer who had decided the first appeal, as the case may be; and
- (f) receive evidence on affidavits from the State Public Information Officer or any senior officer who had decided the appeal or from any other person from whom the evidence may be deemed necessary.

8. The Commission may serve notice to the persons concerned in any of the following modes, namely :—

Mode of serving notice. section 19(10)

- (a) by hand delivery (dasti) through process server;
- (b) by Registered Post, Speed Post, Under Postal Certificate, Courier or such other means;
- (c) by electronic mail, if e-mail address is provided; or
- (d) by publication in the newspaper.

9. The appellant or the complainant, as the case may be, shall in every case be informed of the date of hearing at least 15 clear days before that date. If the complainant/appellant fails to appear on the date of hearing, the Commission will decide the matter on merits:

Appearance of Appellant/ Complainant. Section 19

Provided that where the Commission is satisfied that the circumstances exist due to which the complainant or appellant is being prevented from attending the hearing, then, he may afford the complainant or appellant another opportunity of being heard before taking a final decision.

10. (1) The Commission shall make order in writing and pronounce the same in the presence of the concerned parties.

Order by Commission section 19(10)

(2) The party concerned may obtain the copy of the order from the Commission.

11. The Haryana Right to Information Rules, 2005 are hereby repealed:

Repeal and Saving.

Provided that any order made or action taken under the rules so repealed shall be deemed to have been made or taken under the corresponding provisions of these rules.

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MODEL FORM 'A'
[See rule 3 (1)]

To

State Public Information Officer /
State Assistant Public Information Officer,
_____ (Name of the office with address)

- (1) Full Name of the applicant:
- (2) Address:
- (3) Particulars of information required —
 - (i) Subject matter of information *
 - (ii) The period to which the information relates **
 - (iii) Description of the information required ***
 - (iv) Whether information is required by post or in person
(the actual postal charges shall be include in additional fee)
 - (v) In case by post (Ordinary, Registered or Speed post)

Place :

Date :

Signature of the applicant.

- * Broad category of the subject to be indicated
(such as grant/Government land/Service matters/Licenses etc.).
- ** Relevant period for which information is required to be indicated.
- *** Specific details of the information are required to be indicated.

ACKNOWLEDGEMENT

Received your application dated vide diary
No. dated

Signatures of State Public Information Officer /
State Assistant Public Information Officer
(Name of the Department/Office)

MODEL FORM 'B'

[See rule 4(4)]

From

Designation of the State Public
Information Officer.

To

Name of the applicant
Address of the applicant.

Sir,

Please refer to your application datedaddressed to
the undersigned requesting for information under Right to Information Act, 2005.

1. The additional fee for supplying this information is Rs.
2. You are requested to pay the fee through any of the mode of payment i.e.
either **in Cash** against proper receipt, **by Bank Draft**, **by Indian Postal Order** or
by Treasury Challan as mentioned in rule 4(1) of the Haryana Right to Information
Rules, 2009 and send a copy of proof thereof to this office so that the requisite
information can be supplied to you.
4. In case you are dissatisfied with the above estimate, you are requested to
submit an appeal before the Appellate Authority,
(Name of the department).

State Public Information Officer.

URVASHI GULATI,
Chief Secretary to Government, Haryana.