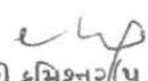


પરિપત્ર

સંદર્ભ : રાઈટ ટુ ઈન્ફરમેશન એક્ટ ૨૦૦૫ ના નિયમ-૮ ફીના દર સંદર્ભે
સુધારેલ ફીના દરનો અમલ કરવા બાબત.

ઉપરોક્ત વિષય બાબતે ગુજરાત સરકારશ્રીના સામાન્ય વહિવટ વિભાગ, ગાંધીનગરના જાહેરનામાં નં.જીએસ-૩૦-૨૦૦૫-વીએચએસ-૧૦૦૫-૨૬૬૪-આરટીઆઈસેલ, તા.૫-૧૦-૨૦૦૫ ની નકલ આ સાથે મોકલવામાં આવે છે. જે ધ્યાને લઈ કાયદાની જોગવાઈઓ અંગે અમલ કરવા તથા સદર બાબતે જાહેર જનતાને પુરતી માહિતી મળે તેવું વ્યવસ્થા તંત્ર ગોઠવી તે અંગેની બહોળી પ્રસિધ્ધી કરી તેની જાણ અત્રે કરવા આથી જણાવવામાં આવે છે.

નં.આરટીઆઈ સેલ/૧
તારીખ: ૧૦-૨૦૦૫.


ડેપ્યુટી કમિશનર (પ.અને ઈ.),
અને નોડલ ઓફિસર
રાઈટ ટુ ઈન્ફરમેશન એક્ટ ૨૦૦૫
સુરત મહાનગરપાલિકા.

નકલ સાદર રજુ : મ્યુનિ.કમિશનરશ્રી પ્રતિ,.....જાણ માટે.

નકલ સ.રવાના : તમામ વિભાગીય વડાશ્રીઓ/મેડિકલ સુપ્રિ.એન્ડ ડાયરેક્ટરશ્રી/
મ્યુ.સેક્રેટરીશ્રી પ્રતિ,.....જાણ સારૂ.

નકલ રવાના : તમામ ખાતાધિકારીશ્રીઓ/ઝોનલ ઓફિસરશ્રીઓ પ્રતિ,.....જાણ તથા
અમલ માટે.

The Gujarat Right to Information Rules, 2005

GENERAL ADMINISTRATION DEPARTMENT

NOTIFICATION

Sachivalaya, Gandhinagar

Dated the 5th October, 2005.

Right to Information Act, 2005.

No : GS-30-2005-VHS-1005-2664-RTI cell :-

In exercise of the powers conferred by section 27 of the Right to Information Act, 2005 (22 of 2005), the Government of Gujarat hereby makes the following rules, namely :-

1. Short title and commencement :-

(1) These rules may be called the **Gujarat Right to Information Rules, 2005.**

(2) They shall come into force on **12th October, 2005.**

2. Definitions :-

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

(a) '**Act**' means the Right to Information Act, 2005.

(b) '**Commission**' means the State Information Commission constituted under section 15 of the Act;

(c) '**Form**' means form appended to these rules;

(d) '**fees**' means fees prescribed under rule 5.

(2) The words and expressions used but not defined in these rules shall have the meaning assigned to them in the Act.

3. Application for obtaining information :-

(1) A person who desires to obtain information shall make an application in **Form A** accompanying with the fees prescribed in rule 5, or through the e-media to the Public Information Officer and the receipt of the application shall be given to the applicant in **Form B**. The fees may be paid in cash wherever facility for cash receipt is available, or by Demand Draft or by Pay order or in the form of non-judicial stamp.

(2) (i) The applicant shall be required to pay the application fee as provided under clause (a) of sub-rule (1) of rule 5 :

PROVIDED that a person applying through the e-media shall have to pay the fees within seven days from the date of application, failing which the application shall be treated as withdrawn.

- (ii) The Public Information Officer shall inform the applicant in **Form C** regarding other fees and charges to be paid as provided under clause (b) of sub-rule (1) of rule 5 :

PROVIDED that no fees and charges shall be payable by a person belonging to the Below Poverty Line families provided that such person encloses with the application, a certified copy of the Below Poverty Line Card or a certificate issued in that behalf by the concerned authority.

(3) The fees and charges payable under clause (b) of sub-rule (1) of rule 5 may be paid in cash wherever facility for cash receipt is available, or by demand draft or by pay order.

4. Disposal of the application :-

(1) The Public Information Officer shall be required to provide the information sought for, to the applicant within thirty days of the receipt of the request in **Form 'D'** or inform the applicant about rejection of application in **Form F** taking into consideration the provisions of sections 8 and 9 of the Act:

PROVIDED that the applicant shall be given reasons for not giving the information which are exempted from disclosure under section 8; or under section 9 of the Act.

(2) In case where the information sought for does not fall within the jurisdiction of the Public Information Officer to whom the application is made, he shall transfer such application in **Form E** to concerned Public Authority/Public Information Officer within **five days** of the receipt of the application and inform the applicant immediately about such transfer:

PROVIDED that where the information sought for concerns the life or liberty of a person, the Public Information Officer shall be required to provide such information within **forty-eight hours** of the receipt of such request or application.

5. Rates of fees :-

(1) The rates of fees and other charges for obtaining required information and documents shall be as under :

- (a) *Application fees* :- Rs. 20 per application
 (b) *Other fees and charges*

| Sr. No. | Details of Information required | Price in Rupees |
|---------|---|-----------------------------|
| 1. | Any information available in the form of publication. | Actual price of publication |

| Sr. No. | Details of Information required | Price in Rupees |
|---------|---|--|
| 2. | Other information/documents | |
| | A. Information provided in | |
| | (i) A4, A3 size paper | Rs. 2/- per page |
| | (ii) Larger size paper : | Amount of actual cost. |
| | B. For sample, Model or photographs. | |
| | <i>Note</i> : Procedure stipulated by the Department for the sample or the model shall have to be followed. | |
| | C. For inspection of records : | No fees for the first half an hour and thereafter Rs. 20/- for each half an hour. <i>Note</i> : The existing rates of fees for inspection of records shall continue wherever such system or procedure exist and the aforesaid fees shall not be applicable. |
| | D. For information to be furnished in a floppy or disc wherever possible : | Rs. 50/- per |

6. Appeal :-

(1) Any person aggrieved by a decision of the Public Information Officer in Form D or in Form F, or does not receive any decision, as the case may be, he may prefer an appeal in Form G within thirty days from the date of receipt or non-receipt of such decision, to appellate authority appointed by the Government in this behalf.

(2) The applicant aggrieved by an order the appellate authority under sub-rule (1) may prefer the second appeal to the State Information Commission within ninety days from the date of the receipt of the order of the appellate authority giving following details :

- (i) Name and address of the applicant;
- (ii) name and office address of the Public Information Officer;
- (iii) Number, date and details of the order against which the Second appeal is filed;
- (iv) Brief facts leading to second appeal;
- (v) Grounds for appeal;
- (vi) Verification by the appellant;

(vii) Any information which commission may deem necessary for deciding the appeal.

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

(i) Certified copy of the Order against which second appeal is preferred.

(ii) Copies of documents referred and relied upon by the appellant along with a list thereof.

(4) While deciding appeal the Commission may,-

(i) take oral or written evidence on oath or on affidavit;

(ii) evaluate the record;

(iii) inquire through the authorized officer further details or truthfulness;

(iv) summon the Public Information Officer or the appellant authority who has heard the first appeal;

(v) hear the third party; and

(vi) obtain necessary evidence from the Public Information Officer or the appellate authority who has heard the first appeal.

(5) The Commission shall serve the notice in any one of the following mode-

(i) service by the party itself;

(ii) by hand delivery;

(iii) by registered post with acknowledgement due; or

(iv) through the Head of the Department or it's subordinate office.

(6) The Commission shall after hearing the parties to the appeal, pronounce in open proceedings its decision and issue a written order which shall be authenticated by the registrar or such officer as may be authorized by the Commission in this behalf.

7. Maintenance of records :-

(1) The Public Information Officer shall maintain the record in respect of the applications received for information and the fees collected for giving the information.

(2) The State Information Commission shall maintain the record regarding all appeals received and disposed off.

8. Miscellaneous :-

For the purpose of removing any doubt it is hereby clarified that the 'forms', as prescribed under these rules, need not be in authorized pre-printed stationery, but any format neatly typed, handwritten or in electronic form which covers essential details prescribed in the form shall be valid.