

DRAFT ORDINANCE NO: 36
RIGHT TO INFORMATION RULES 2011
Under Section 28(o); Statute 2(iii) and 12(xx)

1. **Short title and commencement:** These rules may be called the “Central University of Himachal Pradesh Right to Information Rules, 2011.”
2. **Definitions:** (1) In these rules unless the context otherwise requires.-
 - (a) ‘Act’ means the Right to Information Act, 2005;
 - (b) ‘Form’ means a form appended to these rules;
 - (c) ‘Section’ means section of the Act;
 - (d) “Appendix’ means appendix appended to the rules.(2) Words and expressions used but not defined in these rules, shall have the same meaning as assigned to them in the Act respectively.
3. **Application for seeking information:** (1) Any person seeking information under the Act shall make an application in Form ‘A’ to the Public Information Officer accompanied by fee prescribed in rule 5 and the Public Information Officer shall duly acknowledge the receipt thereof and shall enter the particulars in Part I of the Application Register maintained for the purpose in Appendix I.
 - (2) Except in the case of an applicant who is determined by the State Government as being below poverty line, the application shall be accepted only if it is accompanied by payment of the requisite application fees as specified in rule 5. A separate application shall be made in respect of each subject and in respect of each year to which the information relates.
 - (3) When the information sought for is ready and requires payment of additional fee, if any, the Public Information Officer shall communicate to the applicant the fact in Form ‘B’ specifying the additional fee to be paid, on his address given in the application. The particulars of information being supplied shall be entered in Part II of the Application Register.
 - (4) When the information is ready the Public Information Officer will inform the applicant in Form ‘C’.
 - (5) Any information supplied under sub rule (4) shall be in the language available in the office record.
4. **Inspection of record:** (1) Any person who seeks to inspect the record before making an application under Section 4 shall make application in form D for the purpose indicating the record to be inspected.
 - (2) An Inspection Register shall be maintained with the Public Information Officer in form given in Appendix-II and details of the application and inspection shall be recorded therein.
 - (3) During inspection the applicant shall not take photographs etc. of the record/document.

(4) Except if inspection of the record is disallowed under section 8 and 9 of the Act, Public Information Officer shall allow the inspection on payment of the requisite fee prescribed in rule 5.

5. **Charging of fee :** (1) Except in the case of persons who are below poverty line as determined by the State Government, the Public Information Officer shall charge the fee for supply of information at the following rates, namely:

1. A request for obtaining information under sub-section (1) of Section 6 shall be accompanied by an application fee of Rs.10.00 by way of cash against proper receipt or by demand draft or bankers cheque or Indian Postal Orders payable to the Finance Officer, Central University of Himachal Pradesh at Dharamshala.

2. For providing the information under sub-section (1) of section 7, the fee shall be charged by way of cash against proper receipt or by demand draft or bankers cheque or Indian Postal Orders payable to the Finance Officer, Central University of Himachal Pradesh at Dharamshala at the following rates:

- (a) Rs.two for each page (in A-4 or A-3 size paper),
- (b) actual charge or cost price of a copy in larger size paper,
- (c) actual cost or price for samples or models; and
- (d) for inspection of records, no fee for the first hour, and a fee of Rs.five for each subsequent hour (or fraction thereof).

4. For providing the information under sub-section (5) of Section 7, the fee shall be charged by way of cash against proper receipt or by demand draft or bankers cheque or Indian Postal Orders payable to the Finance Officer, Central University of Himachal Pradesh at Dharamshala at the following rates:

- (a) for information provided in diskette or floppy – Rs.50/- per diskette or floppy; and
- (b) for information provided in printed form at the price fixed for such publication or Rs.two per page of photocopy for extracts from the publication

(2) Every page of information to be supplied shall be duly authenticated giving the name of the Applicant (including below poverty line status if that is the case), and shall bear the dated signatures and seal of the concerned Public Information Officer supplying the information.

(3) Fees/ Charges shall be deposited in the University Account under the sub-head “ Receipt under Right to Information Act, 2005”. Accruals into this head of account may be utilized for furthering the purposes of the Act, including purchase of equipment and consumables, providing training to staff etc.

6. **Procedure in appeals before the Appellate Authorities:** (1) Contents of appeal - The Memorandum of appeal to the Appellate Authority/Commission shall contain the following information, namely:-

- (i) name and address of the appellant;
- (ii) name and address of the Public Information Officer against the decision of whom the appeal is preferred;

- (iii) particulars of the order including number, if any, against which the appeal is preferred;
- (iv) brief facts leading to the appeal
- (v) if the appeal is preferred against deemed refusal, the particulars of the application, including number and date and name and address of the Public Information Officer to whom the application was made;
- (vi) prayer or relief sought;
- (vii) grounds for the prayer or relief;
- (viii) verification by the appellant; and
- (ix) any other information which the Commission may deem necessary for deciding the appeal.

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

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

- (i) self attested copies of the Orders or documents against which the appeal is being preferred;
- (ii) copies of documents relied upon by the appellant and referred to in the appeal; and
- (iii) an index of the documents referred to in the appeal.

(4) When the Appellate Authority/ Commission may calls for the record, it shall in any case return the original record within 10 days after retaining an authenticated copy if required.

(5) On the date of hearing or on any other day to which hearing may be adjourned, the parties shall put their appearance before the Appellate Authority/ Commission. If the appellant fails to appear on such date, the Appellate Authority/Commission may in its discretion either dismiss the appeal or decide the matter ex-parte on merits

(6) The appellant shall not, except by leave of the Appellate Authority /Commission, urge or be heard in support of any ground of objection which has not been set forth in the memorandum, but the Appellate Authority /Commission, in deciding the appeal, need not confine itself to the grounds of objection set forth in the memorandum:

Provided that the Appellate Authority/ Commission shall not rest its decision on any ground other than those specified in memorandum, unless the party likely to be affected thereby, has been given, an opportunity of being heard by the Appellate Authority/ Commission.

(7) The Commission may frame regulations in respect of its day-to-day proceedings.

Form 'A'
[See rule-3 (1)]

**APPLICATION FOR INFORMATION UNDER
THE RIGHT TO INFORMATION ACT 2005**

To

The Public Information Officer
(Name of the Department from which the information is sought)

(a) Subject matter of the information

(b) Period to which the information relates.
Month & year

(c) Description of the information required

(d) File No. if available

(e) Whether the applicant claims exemption
as below poverty line family, if yes, attach proof

(f) Original Treasury Challan No

amount and date of depositing

application fee under rule 4 be attached.

Applicant

Name_____

Address_____

Telephone

No._____

Form 'B'
[See rule 3(3)]

From

Designation of the
Public Information Officer
[Department_____]

To

(Name of the applicant)
Address of the applicant.

Reference: Application No _____ Dated _____ received on _____

Subject:

Sir,

Please refer to your above referred application. The information required by you consists of ____ pages and printed publication cost Rs -----. The additional fee for supplying this information to you is Rs. _____. In case you desire the information to be sent to you by post, an additional amount of Rs. _____ will need to be deposited.

2. You are required to deposit the aforesaid amount of the additional fee with the undersigned personally or through IPO/Bank draft in favour of the Finance Officer, Central University of Himachal Pradesh payable at Dharamshala (HP).

3. If you are not satisfied with the amount of additional fee levied, you have a right to prefer appeal to _____ (Appellate Authority) within a period of 30 days.

Public Information Officer

Tel No.

Form 'C'
[See rule 3(3) & 6(i)]

From

Designation of the
Public Information Officer
[Department_____]

To

(Name of the applicant)
Address of the applicant.

Reference: Application No._____dated_____ received on_____

Subject:

Sir,

Please refer to your above referred application.

2. The information required by you is ready. You are directed to collect the information from the office of the undersigned on any working day of the week during 12.00 to 3.30 p.m.

Public Information Officer

Telephone No.

Form 'D'
[See rule-4 (1)]

APPLICATION FOR INSPECTION

UNDER THE RIGHT TO INFORMATION ACT 2005

To

The Public Information Officer
(Name of the Department from which the inspection is sought)

(a) Subject matter of the information

(b) Period to which the information relates.
Month & year

(c) Description of the information required

(d) File No. if available

(e) Whether the applicant claims exemption
as below poverty line family, if yes, attach proof

amount and date of depositing

application fee under rule 4 be attached.

Applicant

Name _____

Address _____

Telephone No. _____

Form 'E'
[See rule 3(3)]

From

Designation of the
Public Information Officer
[Department_____]

To

(Name of the applicant)
Address of the applicant.

Reference: Application No_____ Dated_____ received on_____

Subject:

Sir,

Please refer to your above referred application. The information required by you consisting _____ pages is enclosed herewith.

3. If you are not satisfied with the information so supplied, you have a right to prefer appeal to_____ (Appellate Authority) within a period of 30 days.

Public Information Officer

Tel No.

REGISTER OF APPLICATIONS FOR INFORMATION**UNDER THE RIGHT TO INFORMATION ACT 2005****PART-I**

Sl No.	Name & full postal address of the applicant	Whether below poverty line (BPL)	Date of receipt of application	Tentative date on which the record would be ready	Mode by which the information is sent	IPO/BD No. and date	Signature of PIO
1	2	3	4	5	6	7	8

PART-II

Actual date when the information is ready	Number of actual pages	Amount of additional fee	Signature of applicant with date in token of receipt if the information is delivered in person or if the information is sent by post its particulars and date	Signature of PIO
9	10	11	12	13

INSPECTION REGISTER

UNDER THE RIGHT TO INFORMATION ACT 2005

Sl. No	Name & full postal address of the applicant	Whether below poverty line (BPL)	Subject matter of information	Particulars of record to be inspected	Time taken From____ to_____	Amount Of Fee charged	Signature of applicant	Particulars of fee charged By PIO	Signature of PIO
1	2	3	4	5	6	7	8	9	10