

DELHI RIGHT TO INFORMATION RULE, 2001

Dated: 19.10.2001

No.F.17/3/2001/AR - In exercise of the powers conferred by sub-section (1) of section 15 of the Delhi Right to Information Act, 2001 (Delhi Act No.7 of 2001), the Government of Delhi hereby makes the following rules, namely: -

RULES

1 Short, title and commencement. - (1) These rules may be called the Delhi Right to Information Rules, 2001.

(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 Delhi Right to Information Act, 2001 (Delhi Act No.7 of 2001);

(b) 'Authorized person' means a person nominated by the competent authority to accept fee prescribed under these-rules;

(c) 'Form' means the 'Form' appended to these rules;

(d) 'section' means a section of the Act.

(2) Words and expressions used but not defined in these rules shall have the 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 competent authority and deposit application fees as per rule 8 with the authorized person. The competent authority shall duly acknowledge the application as provided in Form 'A':

Provided that a person who makes a request through electronic form shall ensure that the requisite fee is deposited in cash with the authorized person within seven days of his request sent through electronic form, failing which his application shall be treated as withdrawn by the applicant.

4. Disposal of application by the competent authority.- (1) If the requested information does not fall within the jurisdiction of the competent authority, it shall order return of the application to the applicant in Form 'B' as soon as practicable, normally within fifteen days and in any case within thirty days of the receipt of the application, advising the applicant, wherever possible, about the competent authority, 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 competent authority's jurisdiction and also in one or more of the categories of restrictions listed in section 6 of the Act, the competent authority, on being satisfied, will issue the rejection order in Form 'C' as soon as practicable, normally within fifteen days and in any case, within thirty days from the date of the receipt of the application.

- (3) If the requested information falls within the competent authority's jurisdiction but not in one or more of the categories listed in section 6 of the Act, the competent authority, on being so satisfied, shall supply the information to the applicant in Form 'D', falling within his jurisdiction. In case, the information sought is partly outside the jurisdiction of the competent authority or partly falls in the categories listed in section-6 of the Act, the competent authority shall supply only such information as is permissible under the Act and is within its own jurisdiction and reject the remaining part giving reasons thereof.
- (4) The information shall be supplied as soon as practicable, normally within fifteen days and in any case within 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 information. A proper acknowledgement shall be obtained from the applicant in token of receipt of information.

5. Appeal.- (1) Any person -

- (a) who fails to get a response in Form 'B', or Form 'C' from the competent authority within thirty days of submission of Form 'A', or
 - (b) is aggrieved by the response received within the prescribed period, may appeal in Form 'E' to the Public Grievances Commission and deposit fee for appeal as per rule 8 with the authorized person.
- (2) On receipt of the appeal, the Public Grievances Commission shall acknowledge the receipt of appeal and after giving the applicant an opportunity of being heard, shall endeavour to dispose it of within thirty days from the date on which it is presented and send a copy of the decision to the competent authority concerned.
 - (3) (a) Where the appeal is filed on the ground specified in clause (a) of sub-rule (1) of this rule, no appeal shall be admissible after sixty days of the submission of the application in Form 'A'.
(b) Where the appeal is filed on the ground specified at Rule in clause (b) of sub-rule (1) of this rule, no appeal shall be admissible after thirty days of the issue of the response appealed against.
 - (4) In case the appeal is allowed, the information shall be supplied to the applicant by the competent authority 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. Penalties. - (1) Whoever being bound to supply information under sub-section (1) of section 5 of the Act fails to furnish the information asked for under the Act within the time specified or fails to communicate the rejection order under sub-section (2) of section 5 of the Act, shall be liable to pay a penalty of fifty rupees per day for the delayed period beyond thirty days subject to a maximum of five hundred rupees per application, filed under rule 3.

- (2) Where the information supplied is found to be false in any material particular and which the person bound to supply it knows or has reasonable cause to believe it to be false or does not believe it to be true, the person supplying the information

shall be liable to pay a penalty of one thousand rupees per application, filed under rule 3.

7. **Suo-moto Publication of Information by public authorities.-** (1) The public authority shall suo-moto publish information as per clause (b) of section 4 of the Act by publishing booklets, folders and pamphlets at the following intervals:

S.No.	Particulars of information to be published	Interval
1	Particulars of its organization, functions and duties.	Once in five years
2	Powers and duties of its officers and employees and the procedure followed by them in the decision making process.	Once in two years
3	Norms set by the public authority for the discharge of its functions	Once in two years
4	Laws, bye-laws, rules, regulations, instructions, manuals and other categories of records under its control used by its employees for discharging its functions	Once in five years
5	Details of facilities available to citizens for obtaining information	Annually
6	Name, designation and other particulars of the competent authority	Annually

- (2) Such information shall 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 competent authority and the Public Grievances Commission.

8. **Charging of Fee. -** (1) The competent authority shall charge the fee at the following rates, namely: -

(A) Application fees

(i)	Application Fee	Twenty Five rupees per application.
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(B) Other Fees -

S.No.	Description of Information	Price / Fees in Rupees
1.	Where the information is available in the form of a priced publication.	Price so fixed
2.	For other than priced publication.	Five rupees per page
3.	Inspection of documents.	Fifteen rupees per 15 minutes (or fraction thereof)

- (2) The appellate authority shall charge a fee of fifty rupees per appeal.

9. State Council for Right to Information. -

(1) The State Council for Right to Information shall consist of the following members:

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| 1. Chief Minister. | Chairman. |
| 2. Minister Incharge of the Administrative Reforms Department /Finance Minister (if Chief Minister is the Minister In-charge of the Department of Administrative Reforms). | Member |
| 3. Three Members of the Legislative Assembly of NCT of Delhi. | Members |
| 4. Chief Secretary, Government of NCT of Delhi | Member |
| 5. Five officers from amongst Principal Secretaries/ Secretaries /Head of Departments, Government of NCT of Delhi | Members |
| 6. Two representatives of the Media (Print/Electronic) | Members |
| 7. Four representatives of non government institutions | Members |
| 8. Two representatives of resident welfare associations | Members |
| 9. Two representatives of industry / trade / commerce | Members |
| 10. Secretary incharge of the Department of Administrative Reforms. Member Secretary: | |

(2) The three members of the Legislative Assembly of the National Capital Territory of Delhi, of whom one shall be woman, shall be nominated as members of the State Council for Right to Information by the Speaker of the Legislative Assembly

(3) The seven officials and ten non-official members of the State Council, as listed above at serial numbers 4, 5 and 10 and from serial numbers 6 to 9 respectively, shall be nominated by the Government.

10. Maintenance of Records. -

- (1) The competent authority shall maintain records of all applications received for supply of information and fee charged.
- (2) The Public Grievances Commission shall maintain records of all appeals filed before it and fee charged.

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(S.K. SRIVASTAVA)
SECRETARY (AR)