

NOTIFICATION

August 27, 2009

¹THE UTTARAKHAND HIGH COURT RIGHT TO INFORMATION RULES, 2009

(updated by amendment dated 29th March, 2010)

No. 157/UHC/Admin.B- In exercise of the powers conferred under section 28(1) of the Right to Information Act, 2005, and all enabling provisions in that behalf, the Chief Justice of Uttarakhand High Court at Nainital makes the following Rules for carrying out the provisions of the Right to Information Act, 2005.

1. Short Title commencement and application:-

- (i) These rules shall be called the Uttarakhand High Court Right to information Rules, 2009.
- (ii) They shall come into force with effect from the date of publication in the Official Gazette.
- (iii) These Rules shall be applicable to the High Court of Uttarakhand and all the subordinate courts under its administrative control.

2. Definitions:- In these Rules, unless the context otherwise requires.

- (a) 'Act' means the Right to Information Act, 2005
- (b) 'Chief Justice' means the Chief Justice of the High Court of Uttarakhand.
- (c) 'State Public Information Officer' ²{with reference to High Court} means such Officer or Authority of the High Court as would be designated by the Chief Justice by a separate order ³{ and with reference to Subordinate Court means such officer or authority as designated by the District Judge by a separated order}.
- (d) ⁴{State Assistant Public Information Officer with reference to Subordinate Court means the officer appointed at Outlying Courts by the District Judge to discharge function under Section 5(2)}
- (e) 'Subordinate Courts' means and includes all Civil, Criminal and other courts in the State of Uttarakhand, which are subordinate to, or under the control and supervision of the ⁵{High Court}.
- ⁶{(f) Appellate Authority with reference to High Court mean such officer as may be designated by the Chief Justice by a separate order and the Appellate Authority with reference to subordinate courts shall be the District Judge or any judicial officer, as designated by District judge by a separate order.}

¹ Published in Uttarakhand Gazettee (Ordinary) Bhag 1, Khand-Ka, p.291, dated 19th September, 2009

² Inserted by not. no. 264/UHC/Admin.B dated: 29/03/2010

³ Inserted by not. no. 264/UHC/Admin.B dated: 29/03/2010

⁴ Substituted by not. no. 264/UHC/Admin.B dated: 29/03/2010

⁵ Substituted by not. no. 264/UHC/Admin.B dated: 29/03/2010

⁶ Inserted by Not. no. 264/UHC/Admin.B dated: 29/03/2010

3. Request for furnishing information:-

⁷{1} Any request for obtaining information shall be made in the prescribed form accompanied with a fee of Rs. 10/- paid by way of adhesive Court fee stamps and the complete address of the applicant for communication. The application for information shall be submitted to the State Public Information Officer or the State Assistant Public Information Officer, as the case may be in the normal office working hours.

⁸{(2) Where information is available in electronic form and is to be supplied or asked in electronic for e.g. floppy, CD etc. then the applicant shall be charged a sum of Rs. 50/- per floppy/CD through cash, draft or by way of postal order or adhesive court fee stamp.

(3) No fee and charges shall be payable by a person belonging to below poverty line (B.P.L), 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 District Magistrate or the Sub Divisional Officer of the concerned sub division.}

4. Request for inspection of record:-

Application for inspection of the record shall be made in the prescribed form. The fee for inspection of documents or records shall be Rs. 20/- per document for one ⁹{by way of} or part of an hour by way of ¹⁰{payable through cash, draft or} by way of postal order or adhesive court fee stamp.

¹¹{Provided that the State Public Information Officer shall not entertain any application for inspection of any judicial record which can be inspected under the provisions of Rules of the Court, 1952 and General Rule (Civil/Criminal), as the case may be.}

5. Procedure regarding inspection of documents:-

The applicant shall not cause any hindrance to the office work and shall cooperate with the staff and complete the inspection as soon as possible.

The applicant shall abide the rules of inspection and shall not use or possess pen, ink or eraser with him.

The ¹²{State} Public Information Officer concerned shall have the right to fix the time and date of the inspection according to administrative convenience and his decision shall be final.

¹³{6. Information shall be provided in the form of certified copies:-

(1) Information shall be provided in question answer form certified to be true by the State Public Information Officer and documents or records shall be provided in the form of certified copies, certified to be true by the State Public Information Officer as per the request of the applicant.

⁷ Renumber by not. no. 264/UHC/Admin.B dated: 29/03/2010

⁸ Inserted by not. no. 264/UHC/Admin.B dated: 29/03/2010

⁹ Substituted by not. no. 264/UHC/Admin.B dated: 29/03/2010

¹⁰ Inserted by not. no. 264/UHC/Admin.B dated: 29/03/2010

¹¹ Inserted by not. no. 264/UHC/Admin.B dated: 29/03/2010

¹² Inserted by not. no. 264/UHC/Admin.B dated: 29/03/2010

¹³ Substituted by not. no. 264/UHC/Admin.B dated: 29/03/2010

(2) State Public Information Officer shall not be liable to provide any information, which can be obtained under the provision of the Rules of the Court, 1952 in case of High Court and under General Rules (Civil/Criminal) in case of subordinate Court. Such information may be obtained by adhering to the prescribed procedure and payment of fees prescribed in the Rules of the Court, 1952, or General Rules (Civil/Criminal), as the case may be.}

7. Register to be maintained:-

The State Public Information Officer/State Assistant Public Information Officer shall maintain a register in the format as per the appendix and other records as would required from time to time.

¹⁴8. Appeal:-

An appeal under Section 19 of the Act may be preferred to the Appellate Authority.}

Appendix

Register of Information

Sl. No	Date of application	Name and address of the party	Purpose of request	Fee paid	Date & time of requisition of record	Date & time of information furnished or inspection made	Date and time of return of record	Signature of the applicant	Remarks
1	2	3	4	5	6	7	8	9	10

¹⁴ Substituted by not. no. 264/UHC/Admin.B dated: 29/03/2010

Application Form for Inspection of record

¹⁵{Court fee}

To

The State Public Information Officer/Sate Assistant
Public Information Officer

Please grant me permission to inspect the documents named in the following list,
for which I tender herewith the requisite ¹⁶{fee} of Rs.....

Full description of document of which the inspection is wanted	Name of the Office or officer/official in whose possession the document is lying	¹⁷ {---deleted----
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Dated:

Signature and Full
address of the Applicant.

¹⁵ Substituted by not. no. 264/UHC/Admin.B dated: 29/03/2010

¹⁶ Substituted by not. no. 264/UHC/Admin.B dated: 29/03/2010

¹⁷ deleted by not. no. 264/UHC/Admin.B dated: 29/03/2010

Form of Application for Information

To

The State Public Information Officer/
The State Public Assistant information Officer

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Please furnish the following information for which the requisite fees of Rs..... is being paid.

Full particular of the Department/Section to which the document is concerned regarding which the information is required	Full particular of the document or record regarding which the information sought	¹⁸ {---deleted---
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Dated:

Signature and Full
address of the Applicant.

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Brief description of information sought	Information furnished
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Dated:

Signature of the State
Public Information Officer.

Seal

By Order of the Court,
Sd/-
RAVINDRA MAITHANI,
Registrar General.

¹⁸ deleted by not. no. 264/UHC/Admin.B dated: 29/03/2010