

In exercise of the power conferred by sub-section (1) of Section 28 read with Section 2 (e) (iii) of the Right to Information Act, 2005, Hon'ble the Acting Chief Justice of the High Court of Delhi hereby makes the following Rules:-

1. Short title and commencement-(i) These Rules shall be called the Delhi High Court (Right to Information) Rules, 2006.
(ii) They shall come into force from the date of publication in the official Gazette.
2. Definitions-(1) In these rules, unless the context otherwise requires-
 - (a) 'Act' means the Right to Information Act, 2005 (No.22 of 2005);
 - (b) 'appellate authority' means designated as such by the Chief Justice of the Delhi High Court.
 - (c) 'authorized person' means Public Information Officers and Assistant Public Information Officers designated as such by the Chief Justice of the Delhi High Court;
 - (d) 'form' means the Form appended to these rules;
 - (e) 'section' means a Section of the Act;
 - (f) words and expressions used but not defined in these rules shall have the same meaning as assigned to them in the Act.
3. Application for seeking information- (a) Any person seeking information under the Act shall file an application from 11 A.M. to 1 P.M. on a Court working day to the authorized person in Form A and deposit application fee as per Rule 10 with the authorized person;
(b) The authorized person shall duly acknowledge the application as provided in Form B;

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 7 days of his sending the request through the electronic form, failing which his application shall be treated as dismissed.

4. Disposal of application by the authorized person-(i) if the requested information does not fall within the jurisdiction of the authorized person, it shall order return of the application to the applicant in Form C as soon as practicable, preferably within 15 days, and in any case not later than 30 days, from the date of receipt of the application, advising the applicant, wherever possible, about the authority concerned to whom the application should be made. The application fee deposited in such cases shall not be refunded.

(ii) If the requested information falls within the authorized person's jurisdiction and is also in one more of the categories listed/mentioned in the Section 8 and 9 of the Act, the authorized person, on being satisfied, will issue the rejection order in Form D as soon as practicable, preferably within 15 days and in any case not later than 30 days from the date of receipt of the application.

(iii) If the requested information falls within the authorized person's jurisdiction, but not in one or more of the categories listed in Section 8 and 9 of the Act, the authorized person, on being so satisfied, shall supply the information to the applicant in Form E, falling within its jurisdiction. In case the information sought is partly outside the jurisdiction of the authorized person or partly falls in the categories listed in Section 8 and 9 of the Act, the authorized person shall supply only such information as is permissible under the Act and is within its own jurisdiction and reject the remaining part giving reasons therefor.

(iv) In so far as decisions which are taken administratively or quasi judicially, information therefor, shall be available only to the affected persons.

(v) The information shall be supplied as soon as practicable, preferably within 15 days, and in any case not later than 30 days from the date of receipt of the application.

However, the date of the application shall be deemed to be the date of deposit of the entire fee or the balance fee or deficit amount of the fee to the authorized person.

A proper acknowledgment shall be obtained from the applicant in token of receipt of information after production of Form B.

5. Exemption from disclosure of information- The information specified under Section 8 of the Act shall not be disclosed and made available and in particular the following information shall not be disclosed:-

(a) Such information which is not in the public domain or does not relate to judicial functions and duties of the Court and matters incidental and ancillary thereto.

(b) Information which has been expressly forbidden to be published by the Court or the disclosure whereof may constitute Contempt of Court; or information which includes commercial confidence, trade secrets or intellectual property, the disclosure of which would harm the competitive position of a third party, unless the competent authority is satisfied that larger public interest warrants the disclosure of such information; or information which would impede the process of investigation or apprehension of prosecution of offenders; or information which relates to any public activity or interest, or which would cause unwarranted invasion of the privacy of the individual unless the Central Public Information Officer or the State Information Officer or the appellate authority, as the case may be, is satisfied that the larger public interest justifies the disclosure of such information.

(c) Any information affecting the confidentiality of any examination conducted by Delhi High Court including Delhi Judicial Service and Delhi Higher Judicial Service. The question of confidentiality shall be decided by the Competent Authority whose decision shall be final.

6. Information which is to be furnished and access to records shall be subject to the restrictions and prohibitions contained in rules/regulations and destruction of records in force from time to time which may have been notified or implemented by this Court.

7. Appeal - (i) Any person -

(a) who fails to get a response in Form C or Form D from the authorized person within 30 days of submission of Form A, or

(b) is aggrieved by the response received within the prescribed period, appeal in Form F to the Appellate Authority and deposit fee for appeal as per Rule 10 with the Appellate Authority.

(ii) On receipt of the appeal along with required fee the Appellate Authority shall acknowledge the receipt of the appeal and after giving the appellant an opportunity of being heard, shall endeavor to dispose it of within thirty days from the date on which it is presented and send a copy of the decision to the authorized person concerned.

(iii) In case the appeal is allowed, the information shall be supplied to the applicant by the authorized person 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.

8. Penalties-(i) Whoever being bound to supplying information fails to furnish the information asked for under the Act within the time specified or fails to communicate the rejection order by notification shall be liable to pay penalty upto 50 Rupees per day for the delayed period beyond 30 days subject to maximum of 500 Rupees per application filed under rule 3, as may be determined by the appellate authority.

(ii) Where the information supplied is found to be false in any material particular and which the person is bound to supply it knows and has reasons 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 upto one thousand rupees, which may be imposed by the appellate authority.

9. Suo motu publication of information by public authorities - (i) The public authority may suo motu publish information as per sub-section (1) of Section 4 of the Act by publishing booklets and/or folders and/or pamphlets and up date these publications every year as required by sub-section (1) of Section 4 of the Act.

(ii) Such information may also be made available to the public through information counters and may also be displayed on the notice board at a conspicuous place in the office of the authorized person and the appellate authority.

10. Charging of application Fee - (i) The authorized person shall charge the fee at the following rates, namely:-

(A) Application Fee-

- | | |
|---|------------------------------|
| (i) Information not relating to Rule 4(iv)
Above per application | 500 Rupees |
| (ii) Information other than (i) above | 50 Rupees per
application |

(B) Other fees-

Sl.No.	Description of information	Price/Fee in Rupees
1.	Where the information is available in the form of a priced publication	Price so fixed
2.	For other than priced publication rupees	Rs.5.00 per page Charges for Urgent Rs.10.00 Per page

(ii) The appellate authority shall charge a fee of 50 Rupees per appeal.

11. Maintenance of Records-(i) The authorized persons shall maintain records of all applications received for supply of information and fee charged.

(ii) the appellate authority shall maintain records of all appeals filed before and fee charged.

FORM A

Form of application for seeking information
(See Rule 3)

D.No.
(for official use)

To
The authorized person,
.....

1. Name of the applicant
2. Address
3. Particulars of information-
 - (a) Concerned department-
 - (b) Particulars of information required
 - (i) Details of information required
 - (ii) Period for which information asked for
 - (iii) Other details
4. I state that the information sought does not fall within the restrictions contained in Section 8 of the Act and to the best of my knowledge it pertains to your office.
5. A fee of Rs..... has been deposited in the office of the authorized person vide No..... dated

Place
Date

Signature of Applicant,
E-mail address, if any,
Telephone No. (Office):
(Residence):

Note :- (1) Reasonable assistance can be provided by authorized person in filling of the FORM-A
(2) Please ensure that the FORM-A is complete in all respect and there is not ambiguity in providing the details of information required.

FORM B

Acknowledgment of Application in Form A

I.D.No.....

Dated.....

1. Received an application in Form A from Shri/Ms
Resident ofunder section
..... of the Right to Information Act, 2005.
2. The information is proposed to be given normally within fifteen days and in any case within thirty days from the date of receipt of application and in case it is found that the information asked for cannot be supplied the rejection letter shall be issued stating reason thereof.
3. The applicant is advised to contact the undersigned on from 11 A.M. to 1 P.M.
4. In case the applicant fails to turn up on the scheduled date(s), the authorized person shall not be responsible for delay, if any.
5. The applicant shall have to deposit the balance fee, if any, with the authorized person before collection of information.
6. The applicant may also consult web-site of the department from time to time to ascertain the status of his application.

Date

Signature and Stamp of the
Authorized Person,
E-mail
Web-site
Telephone No.

FORM C

Outside the jurisdiction of the authorized person
[Rule 4(1)]

No.....

Date

To,
Sir/Madam,

Please refer to your application I.D. No. dated
..... addressed to the undersigned regarding supply of information on
.....

2. The requested information does not fall within the jurisdiction of this authorized person and therefore, your application is being returned herewith.
2. You are requested to apply to the concerned authorized person.

Yours faithfully,

Authorized person :
E-mail address
Web-site :
Telephone No.:

FORM D
Rejection Order
[Rule 4(ii)]

No.....
Date

To,

Sir/Madam,

Please refer to your application I.D. No. Dated
..... addressed to the undersigned regarding supply of information on
.....

2. The information asked for cannot be supplied due to following reasons:-

(i)

(ii)

3. As per Section 19 of the Right to Information Act, 2005, you may file an appeal to the Appellate Authority within thirty days of the issue of this order.

Yours faithfully.

Authorized person :

E-mail address :

Web-site :

Telephone No.

FORM E

Form of Supply of information to the applicant
[Rule 4(iii)]

No.

Date

To,

Sir/Madam,

Please refer to your application I.D. No. dated
addressed to the undersigned regarding supply of information on

2. The information asked for is enclosed for reference. The following partly
information is being enclosed: -

- (i)
- (ii)

The remaining information about the other aspects cannot be supplied due to the
following reasons:-

- (i)
- (ii)
- (iii)

3. The requested information does not fall within the jurisdiction of this authorized
person.

4. As per Section 19 of the Right to Information Act, 2005, you may file an appeal
to the Appellate Authority within thirty days of the issue of this order.*

Yours faithfully,

Authorized person :
E-mail address :
Web-site :
Telephone No.

*Strike out if not applicable.

FORM F
Appeal under Section 19 of the Right to Information Act, 2005
[Rule 7]

I.D. No.
Dated
(For official use)

To,

Appellate Authority
Address:

1. Name of the Applicant
2. Address
3. Particulars of the authorized person
 - (a) Name
 - (b) Address
4. Date of submission of application in Form A
5. Date on which 30 days from submission of Form A is over
6. Reasons for appeal
 - (a) No response received in Form B, or C within thirty days of submission of Form-A.
 - (b) Aggrieved by the response received with prescribed period (copy of the reply receipt be attached.)
 - (c) Grounds for appeal
7. Last date for filling the appeal [See Rule 7(i)]
8. Particulars of information-
 - (i) Information requested
 - (ii) Subject
 - (iii) Period
9. A fee of Rs. 50/- for appeal has been deposited with the authority vide Receipt No. dated

Place
Date

Signature of Appellant, E-mail
Address, if any Telephone No.
(Office)
(Residence)
Acknowledgment

I.D. No. dated

Received an Appeal application from Shri/Ms.

Resident of _____ under section 19 of
the Right to Information Act, 2005

Signature of Receipt Clerk,
Appellate Authority
Telephone No.
E-mail Address Web-site

By Order of
Hon'ble the Acting Chief Justice
Sd/-

A.K. PATHAK
(REGISTRAR GENERAL)