

## **Maharashtra Right To Information Rules, 2000**

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## **Maharashtra Right To Information Rules, 2000**

In exercise of the powers conferred by sub-section (1) of the section 9 of the Maharashtra Right to Information Act, 2000 (Mah. XXXVIII of 2000), and all other powers enabling it in this behalf the Government of Maharashtra hereby makes the following rules, namely:

### **1. Short Title :-**

These rules may be called the Maharashtra Right to Information Rules, 2000.

### **2. Definitions :-**

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

(a) "Act" means the Maharashtra Right to Information Act, 2000 (Mah. XXXVIII of 2000);

(b) "appellate authority" means any authority notified by the State Government by an order issued under sub-section (1) of section 5 of the Act;

(c) "prescribed" means prescribed under these rules.

(2) Words and expressions used in these rules but not defined in these rules, shall Have the same meaning respective, assigned to them in the Act.

### **3. Procedure For Seeking Information :-**

(1) Any person who wishes to obtain information as provided under the provisions of the Act shall, apply to the concerned Competent Authority on plain paper in the format given in Annexure A by affixing a court fee stamp of rupees ten.

(2) The Competent Authority, on receiving the application under sub-rule (1) shall, subject to the provisions of sub-section (2) of section 3, call and compile the requisite information and shall also assess the amount of fees which will be required to be paid by the applicant as per sub-rule (3).

(3) After the Competent Authority has compiled the requisite information, he shall send an intimation to the applicant in the format given in Annexure B within a period of thirty days from the date of receipt of the application informing him the amount of fees payable by him as per the Schedule appended to these rules, for the supply of such information to him by the Competent Authority and the date by which he should make the payment and collect the information.

(4) The applicant shall pay the requisite fees as informed by the Competent Authority either by way of money order or by making cash payment in the office of the concerned Competent Authority or make payment in the Treasury.

(5) On receiving the payment or on receiving the copy of challan showing payment in treasury the applicant shall be forthwith supplied the information by the Competent Authority, either in person or by post.

(6) In case the Competent Authority is of the opinion that as per sub-section (2) of section 3 of the Act the information asked for is not permissible to be supplied, he shall, within thirty days from the date of receipt of the application, inform the applicant accordingly with reasons.

#### **4. Procedure For Appeal To Appellate Authority :-**

(1) Any person aggrieved by an order of the Competent Authority under sub-rule (6) of rule 3, refusing to supply the information may, within one month from the date of receipt of the order of the Competent Authority, prefer an appeal to the Appellate Authority on plain paper in the format given in Annexure "C", affixing a court fee stamp of rupees twenty, with a copy of such order:

Provided that, the applicant who has not received the information in the prescribed period may also treat such failure to supply the information as refusal to supply the information under sub-rule(6) of rule 3 and may appeal to the Appellate Authority against such failure or non-compliance with the provisions of these rules.

(2) (i) In the proceedings before the Appellate Authority the appellant shall be given an opportunity of making a representation in writing.

(ii) Every order of the Appellate Authority shall be communicated to the appellant concerned and also to be the Competent Authority against whose order the appeal was preferred and the order of the Appellate Authority shall be final.

#### **SCHEDULE 1**

#### **ANNEXURE A**

[See Rule 3(1)]

Format of Application Form Under the Maharashtra Right of Information Rules, 2000.

To-----

Department-----.

(The Competent Authority's designation is to be mentioned).

(1) Full name of the applicant:

(2) Address :

(3) Particulars of information required : (i) Nature of information :

(ii) Name of the Officer or Department to which the information relates:

(iii) Subject matter of information :

(iv) The year and place of area of which the information relates:

(v) Purpose for which information is required :

Place :

Date : (Signature of the Applicant)

## SCHEDULE 2

### ANNEXURE B

[See Rule 3(1)]

From .....

(Designation) Competent Authority

To-----

(Name of Applicant)

(Address of the Applicant).

Sir,

Please refer for to you application dates. .... addressed to the undersigned requesting information on..... The above information is ready to be supplied to you. The fee chargeable for supplying this information to you is Rs.....

You are requested to pay the fee at this Office or send a money order or make payment in a Government Treasury and send a copy of the chalan to this office and collect the information.

In case you wish to get the information by post, please sent Rs ..... to the fee mentioned above by way of postal charges.

Please make the payment on or before.....

(Competent Authority)

Affix here Court Fees Stamp of Rs. 20

## SCHEDULE 3

### ANNEXURE C

[Sec Rule 4(1)]

Appeal under section 5 (1) of the Maharashtra Right to Information Act, 2000.

From.....

(Applicants name and address)

To.....

(Name/designation/address of the Appellate Authority).

(1) Full name of the Applicant:

(2) Address :

(3) Particulars of the Competent Authority :

(4) Date of receipt of the order appealed against :

(5) Last date for filing the appeal:

(6) Limitation:

(7) Particulars of information-

(i) Nature and subject matter of the information required:

(ii) Name of the Office or Department to which the information relates.

(iii) Purpose for which the information is required :

(iv) The grounds for appeal. Place : Date : (Signature of the Applicant)

Declaration

I.....(Name of the appellant), Son of/daughter of/wife of.....hereby declare that the particulars furnished in the appeal are to the best of my knowledge and belief, true and correct and that I have not suppressed any material fact.

Place:

Date: (Signature of the Appellant)

To.....(Name and address of Appellate Authority)

**SCHEDULE 4**

Schedule I

[See Rule 3(3)]

<b>Sr. No.</b>	<b>Description of the Document</b>	<b>Fees in Rupees</b>
1	When the concerned de-partment has already fixed the price of some documents, map etc.	The price so fixed + Postage charges (unless collected personally).
2.	When the information is readily available either by zeroxing, copying or by other way (copy).	(Rs. 2 per page + Postage charges (unless collected personally).
3	If the information is not readily available and needs to be collected.	Rs. 5 per page + Postage charges (unless collected personally).