

## **Maharashtra Right to Information Rules, 2002**

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### **SCHEDULE 1 :- SCHEDULE**

## **Maharashtra Right to Information Rules, 2002**

Maharashtra Right to Information Rules, 2002

### **1. Short title :-**

These Rules may be called the Maharashtra Right to Information Rules, 2002.

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

(1) In these Rules, unless the context otherwise requires,

(a) "Annexure" means the Annexures appended to these rules;

(b) "Ordinance" means the Maharashtra Right to Information Ordinance, 2002 (Mah. Ord. X of 2002);

(c) "Lokayukta" means Lokayukta of the Maharashtra State appointed under section 3 of the Maharashtra Lokayukta and Up-Lokayuktas Act, 1971 (Mah. XLVI of 1971);

(d) "Upa-Lokayukta" means Upa-Lokayukta of the Maharashtra State appointed under section 4 of the Maharashtra Lokayukta and Upa-Lokayuktas Act, 1971 (Mah. XLVI of 1971).

(2) Words and expressions used in these rules but not defined shall have the same meanings respectively, assigned to them, in the Ordinance.

### **3. Procedure for designating Public Information Officers :-**

(1) The Competent Authority shall designate one or more of its officers as the Public Information Officer for each or all its administrative units and offices under him at various levels like Village, Taluka, sub-division, District and Regional Division.

(2) The Competent Authority shall display of cause to be displayed at prominent place in the premises of every office or unit of offices under him the details of the concerned Public Information Officer such as the name, designation and address, etc.

#### **4. Preparation of list of Public Information Officers :-**

(1) Every Competent Authority shall prepare a list of all the Public Information Officers designated by him from time to time.

(2) The list shall also contain the names, designations, addresses and the administrative units and offices under such authority.

(3) The list prepared by the Competent Authority under sub-rule (1) shall be kept available for information of general public.

#### **5. Appellate Authority :-**

(1) Every appeal under section 11 of the Ordinance Shall lie to the concerned Competent Authority mentioned in clause (3) of section 2 of the Ordinance or to the Officer or Officers authorised by him, by general or special order issued in this behalf, for the purposes of this Ordinance.

(2) The Competent Authority, shall authorise its Officers as the Appellate Authorities under Clause (1) of section 2 of Ordinance, generally in following manner, namely:

(i) the first appeal against the decisions of all the village and Taluka Level Public Information Officers may be preferred to the Sub-Division level officer;

(ii) the first appeal against the decisions of Sub-Division Level Public Information Officers may be preferred to the District level officer;

(iii) the first appeal against the decisions of the Regional or Divisional Level Public Information Officers may be preferred to the Regional or Divisional level officer;

(iv) the first appeal against the decisions of the Regional or Divisional level Public Information Officers may be preferred to the

Head of the concerned Department;

(v) the first appeal against the decisions of the Public Information Officers at the level of the Administrative Department may be preferred to the Head of the concerned Administrative Department;

**6. Procedure for seeking information :-**

(1) Any person desirous of obtaining information as provided under the provisions of the Ordinance shall, apply to the concerned Public Information Officer on plain paper in the format given in Annexure 'A' by affixing a Court fee stamp of rupees ten.

(2) The Public Information Officer on receiving the application under sub-rule (1) shall, subject to the provisions of sections 7 and 8, 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 Public Information Officer has compiled the requisite information, he shall send an intimation to the applicant in the format given in Annexure 'B' within a period of fifteen 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 Public Information Officer and the date by which he should make the payment and collect the information.

(4) If the information sought for by the applicant cannot be supplied without the assistance of an employee or officer, and such employee or officer fails to supply the required information or to render the assistance within the period specified in sub-section (2) of section 6, then such employee, or as the case may be, the officer (being the person covered by Clause (7) of section 2 of the Ordinance), shall be liable for penalty under the Ordinance.

(5) The applicant shall pay the requisite fees as informed by the Public Information Officer either by way of money order or by making cash payment in the office of the concerned Public Information Officer or make payment in the Treasury.

(6) The amount of fees received from the applicants by the Public Information Officers shall be deposited in the budget head No. "0070-Other Administrative Services, 60-Other Services, 800-Other receipts, (18)-Right to Information Ordinance, 2002 (0070-016-1)".

(7) On receiving of the payment or on receiving the copy of chalan showing payment of fee in treasury, the Public Information Officer shall forthwith supply the information to the applicant either in person or by post.

## **7. Procedure for filing an appeal :-**

(1) Any person aggrieved by an order of the Public Information Officer under sub-section (3) of section 6 may, prefer an appeal to the concerned 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.

(2) Every order passed by the Appellate Authority shall be communicated to the Appellate concerned and also to the Public Information Officer against whose order the appeal preferred.

(3) Any person aggrieved by an order of the Appellate Authority under subsection (2) of section 11 may, prefer an appeal to the Lokayukta or Up-Lokayukta, as the case may be, on plain paper in the format given in Annexure "D", affixing a Court fee stamp of rupees twenty, with a copy of such order.

(4) The Lokayukta or Upa-Lokayukta, as the case may be, after giving the person or persons affected a reasonable opportunity of being heard, pass such order as he may deem fit.

(5) Every order of the Lokayukta or Up-Lokayukta, as the case may be, shall be communicated to the appellant concerned and also to the Appellate Authority against whose order the appeal was preferred.

## **8. Maintenance of register by Public Information Officer :-**

Every Public Information Officer shall maintain a register in the format given in Annexure "E" in respect of the applications received for seeking the information under the Ordinance.

### **SCHEDULE 1**

#### **SCHEDULE**

SCHEDULE		
(See Rule 6(3))		
Sr.No	Description of the Document	Form in Rupees
(1)	(2)	(3)
1	When the concerned department	The price so fixed+ Postage

	has already fixed the price of some documents, map <i>etc.</i>	charges (unless collected personally).
2	When the information is readily available either by Xeroxing, copying or by other way (copy)	0.50 Paisa per page + Postage charges (unless collected personally).
3	If the information is not readily available and needs to be collected.	Rs. 2 Per page + Postal charges (unless collected personally).