

The Tripura Right to Information Rules, 2005.

TRIPURA



GAZETTE

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PART-I-- Orders and Notifications by the Government of Tripura,
The High Court, Government Treasury etc.

GOVERNMENT OF TRIPURA
GENERAL ADMINISTRATION (ADMINISTRATIVE REFORMS) DEPARTMENT
GOVERNMENT SECRETARIATE
AGARTALA

File No. F.3(5)-GA(AR)/2005(L)

Dated Agartala, the 7th Sept, 2005

NOTIFICATION

In exercise of the powers conferred by section 27 of the *Right to Information Act, 2005* the State Government hereby makes the following rules for the purpose of carrying the purposes of the said Act namely--

CHAPTER -I
Preliminaries

1. Short title and commencement

- (a) These rules may be called the Tripura Right to Information Rules, 2005.
- (b) They shall come into force on and from the date of their publication in the official gazette.

2. Definitions

In these rules, unless the context otherwise requires,

- (a) "Act" means the *Right to Information Act, 2005.*
- (b) "Government" means the Government of Tripura.
- (c) "Sample" means a specimen or a small part or quantity of any material to be supplied for any scientific testing or analysis for the purpose of ascertaining *what the whole is like.*

- (d) "Section" means Section of the Right to Information, Act, 2005
(e) The words *and expressions* used in these rules but not defined shall have the same meaning as assigned to them in the Act.

CHAPTER - II

Rates of fees, mode of payment of fees, etc.

3. Rates of fees for providing information

A person who makes a request for obtaining any information from a State Public Information Officer shall pay fee at the following rates :-

Item	Rate
(a) Application fee at the time of making the request for obtaining information	Rupees ten
(b) Fee for copy of any information or record in paper.	(i) Rupees two per page (per impression) in A-4 or A-3 size paper or part thereof. (ii) Actual charge or cost price of a copy in larger size paper.
(c) Fee for samples or models	Actual cost or price for samples or models.
(d) Fee for inspection of records	No fee for the first hour or part thereof and rupees five for every subsequent fifteen minutes or part thereafter.
(e) For information to be provided in computer diskette or floppy	Rupees fifty per diskette or floppy, provided the computerized information is available.
(f) For information in printed publication	At the price fixed for such publication or rupees two per page of photocopy for extracts for the publication.

4. Mode of payment of fees by applicants.

(1) An applicant shall pay the fees in cash against a receipt to be issued by the State Assistant Public Information Officer concerned in Form No.1 appended to these rules.

(2) The Assistant State Public Information Officer shall deposit into Treasury on weekly basis the amount so received by him as fees against the Receipt Head of Account that may be specified by the Finance Department and the State Assistant Public Information Officer must account for the same.

(3) Application fee has to be paid along with the application for obtaining information and the State Assistant Public Information Officer shall record on the body of the application that the applicant has paid the application fee of Rs. 20/- (Rupees twenty) vide receipt No. dated and forward the application to the Public Information Officer within five days of its receipt.

5. **Intimation about acceptance of application.**

(1) When the Public Information Officer accepts the application for providing the information as sought for, he has to send to the applicant an intimation in Form No. 2 appended to these rules about the exact amount of additional fee to be deposited by the applicant along with a calculation as how the amount has been determined.

(2) The time taken by the applicant from the date of dispatch of the intimation for depositing the fee shall be excluded from the period of 30(thirty) days within which the Public Information Officer has to furnish the information.

6. **Intimation about part supply of information or rejection of application.**

When a request for obtaining information is accepted for part supply of information or rejected by the Public Information Officer, the applicant shall be given an intimation to that effect in Form No. 3 appended to these rules.

7. **Proof of submission of application**

The date on which the money receipt against payment of the application fee is issued in Form No. 1 as stated in sub-rule(1) of rule-4, shall be deemed to be the date of receipt of the application and the money receipt shall be a proof of receipt of the application for obtaining information.

8. **Supply of information in electronic mode.**

Supply of information or copy of record in computer diskette or floppy, shall depend on the availability of information in electronic form with the public authority and the facility for providing such information in diskette or floppy.

9. Supply of sample of any material.

(1) In supplying sample of any material used by a public authority for any work, the State Public Information Officer shall intimate the applicant the date, time and venue when the applicant can obtain a sample of the material or inspect the information or work. The State Public Information Officer shall also give notice in writing to the authority who has got the work done or from whose custody the sample is to be taken.

(2) While supplying a sample all precautionary measures should be taken to prevent tampering with the sample and the sample should be properly packed and sealed in presence of witnesses and may be handed over to the applicant.

(3) At the time of inspection of any information or work, at least one official should remain present to supervise the inspection.

(4) For the purpose of obtaining a sample or making an inspection, the applicant may bring with him a helper of his choice.

10. Issue of certified copy.

Copy of information in the form of document or record may be certified to be copy of the original by the State Public Information Officer or the State Assistant Public Information Officer under his seal and signature.

CHAPTER - III

State Information Commission

11. Constitution of the State Information Commission.

(1) If there is any difference of opinion among the members of the three-member Committee constituted under sub-section (3) of section 15 of the Act to recommend names of suitable persons to be appointed State Chief Information Commissioner or State Information Commissioner(s), the decision of the majority shall prevail.

(2) The person who is appointed State Chief Information Commissioner or State Information Commissioner shall, before he enters upon his office by making or subscribing to an oath or affirmation under sub-section (3) of section 16 of the Act, shall also make a declaration in Form No. 4 appended to these rules.

CHAPTER-IV

Disposal of appeals and complaints by the State Information Commission

12. **Procedure to be followed by the State Information Commission in deciding appeal**

(1) Any person aggrieved by the decision of the first appellate authority may make a second appeal to the State Information Commission.

(2) The appeal shall be in the form of a memorandum in writing and shall contain the following particulars:

(a) The name and full postal address of the appellant;

(b) The full particulars of the first appellate authority against whose decision the appeal is filed;

(c) The name and full postal address of the third party, if any, involved in the case;

(d) The claim which the appellant made and the ground(s) on which the claim of the appellant was denied.

(e) The Ground(s) on which the appellant files the appeal.

(f) Relief sought by the appellant.

(3) The Commission shall follow the principles of natural justice and adopt its own procedure in deciding appeals and disposing of complaints.

Mizna Gazette, Extra-ordinary issue, October 7, 2005 A. D.

APPENDIX

FORM NO. 1

Money Receipt
(See Rule 4)

Date.....

Receipt No.....

Received from Sri.....

S/o. Sri..... of..... Village/

Town..... the

sum of Rs..... (Rupees.....) in cash on account of

..... (here mention the amount of application fee or other fee).

Signature and designation of the official

FORM NO. 2

Intimation of acceptance

(See rule 5)

Office of the

File No.....

Date.....

To
Sri.....
.....
.....

(Full name & address of the applicant)

Ref:- Your application dated seeking information on
.....

Dear Sir/Madam,

With reference to your above-cited application I would inform you as follows:-

- (a) The information which you have sought is now ready to be supplied to you.
- (b) For inspection of the *information /work/* taking sample of material you may personally appear in the office of the on at a.m./p.m. along with a helper of your choice.
- (c) You are requested to deposit an additional fee of Rs. (Rupees) only within seven days of the receipt of this letter and take delivery of the information as sought for by you.
- (d) The fee has been calculated in the following manner :-
.....
.....

(e) If you have any grievance about the above-mentioned amount of fee you have a right to file an appeal against the *amount charged* or the *form of access provided* within a period of thirty days from the date of receipt of this letter.

(f) The full particulars of the appellate authority to whom you can make an appeal is given below:
.....

Yours faithfully

.....
(Name, designation, address, Phone No. etc)

FORM NO. 3

Intimation about part supply of information or rejection of application.
(See rule -6)

Office of the.....

File No.....

Date.....

To
Sri.....

.....
(Full name & address of the applicant)

Ref:- Your application dated seeking information on
.....

Dear Sir/Madam,

With reference to your above-cited application I would inform you as follows:-

(a) Your application for the above-mentioned information has been rejected/accepted for part supply of the information on the following ground(s):-

(i).....

(ii).....

(iii).....

(b) You may, therefore, get part information for which you are to deposit an additional fee of Rs. (Rupees) only within seven days from the date of receipt of this letter.

(c) The amount of the above-mentioned *addition fee* has been calculated in the following manner:

.....

.....

(d) If you have any grievance about the above-mentioned amount of fee/rejection of the application or part supply of information, you have a right to file an appeal against the decision within a period of thirty days from the date of receipt of this letter.

(e) The full particulars of the appellate authority to whom you can make an appeal is given below:

.....

Yours faithfully

.....
(Name, designation, address, Phone No. etc)

FORM NO. 4

Declaration to be made by the State Chief Information Commissioner or
the State Information Commissioners before entering upon office

[See rule 10(2)]

I, Sri.....S/O.....appointed to the
office of the State Chief Information Commissioner/ State Information Commissioner vide
No.....dated.....of.....the
.....Department of the Government of Tripura, do hereby declare and
solemnly affirm that I am not a Member of Parliament or Member of Legislature of any
State or Union Territory or hold any office of profit nor am I connected with any political
party or carrying on any business or pursuing any profession.

(Signature of the declarant)

Date

By order etc.

L. H. Darlong
Addl. Secretary to the
Government of Tripura.

No.F.3(5)-GA(AR)/05(L)
GOVERNMENT OF TRIPURA
GENERAL ADMINISTRATION (AR) DEPARTMENT

Dated Agartala, the 20th October, 2005.

CORRIGENDUM

Please read the following entries in column-1 in place of the entries in column-2 as appearing in Notification No.F.3(5)-GA(AR)/05(L) dated 7th September, 2005 of this Department :-

1	2
(i) "7 th October, 2005"	(i) "7 th September, 2005" shown as the date of issue of the notification.
(ii) "File"	(ii) "file" as appearing in the heading in rule-1.
(iii) "Rs. 10/- (Rupees Ten)"	(iii) "Rs. 20/- (Rupees Twenty)" as appearing in sub-rule-(3) of rule-4.

(L.H. Darlong)

20/10/05
Addl. Secretary to the
Government of Tripura.

Copy to :-

1. The Special Secretary to the Governor, Raj Bhavan, Agartala.
2. The PS to the *Chief Minister*.
3. The PS to all Ministers.
4. The Chief Secretary, Government of Tripura, Agartala.
5. All Principal Secretaries/ Commissioner & Secretaries/ Secretaries
6. All Heads of Departments.
7. The Chief Executive Officer, Tripura Tribal Areas Autonomous District Council, Itanagar.
8. The Heads of all Autonomous Bodies/Local Bodies/Public Undertakings/Public Corporations/Organisations, etc.
9. The Manager, Tripura Government Press for publication of the Notification in the next issue of the Tripura Gazette.

(L.H. Darlong)

Addl. Secretary to the
Government of Tripura.