

GOVERNMENT OF WEST BENGAL
Personnel & Administrative Reforms Department
Administrative. Reforms Cell.

NOTIFICATION

No. I 57-PAR (AR)~ 10th March, 2006- In exercise of the power conferred by sub-section(1) read with sub- section (2) of Section 27 of the Right to Information Act, 2005 (22 of2005), the Governor is pleased hereby to make the following rules, namely :-

Rules

1. Short title and commencement-

- (1) These rules may be called the West Bengal Right to Information Rules, 2006.
- (2) They shall come into force on the date of their publication in the Official Gazzate.

2. Definitions:-

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

- (a) "Act"; means the Right to Information Act, 2005 (22 of 2005);
- (b) "Commission" means the West Bengal Information Commission;
- (c) "Registrar" means the Registrar of the Commission;
- (d) "Section" means section of the Act;
- (e) "State Government" means the Government of West Bengal.

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

3. Application fee -

An application containing a request in writing to the State Public Information Officer or the State Assistant Public Information Officer, as the case may be, made under sub-section (I) of Section 6 for obtaining information, shall be accompanied with a court-fee of rupees ten.

4. 'Fee for providing information -

Save as otherwise provided in the provision to sub-section (5) of Section '7, the State Public Information Officer or the State Assistant Public Information Officer, as the case may be, shall provide Information under sub-section (I), and sub-section (5), of Section 7 upon receipt or a request under Section 6, on payment of a fee of -

- (a) rupees two, for each page (in A-4 or A-3 size paper) created or copied; or
- (b) actual charge or cost price, for a copy in large size paper; or
- (c) actual cost price, for sample or model; or
- (d) rupees five for each fifteen minutes or fraction thereof, for inspection of records; or
- (e) rupees fifty per diskette or floppy, for information provided in the diskette or floppy; or
- (f) actual charge fixed for publication or rupees two per page of photocopy for extracts there from for information provided in printed form.

5. Contents of appeal to Commission under sub-Section (3) of Section 19 -

An appeal to the Commission under sub-section (3) of Section 19, shall contain the following information, namely:-

- (a) Name and address of the applicant;
- (b) Name and address of the State Public Information Officer or the State Assistant Public Information Officer, as the case may be, who passed the order;
- (c) Particulars of the order against which the appeal is made including its number and date;
- (d) Brief facts of the case;
- (e) Prayer or relief sought for by the appellant;

- (f) Grounds for such prayer relief; and
- (g) Verification by the appellant

6. Documents to accompany appeal to Commission under sub-section (3) of Section 19 –

Every appeal made to the Commission shall be accompanied by the following documents, namely:-

- (a) the attested true copy of the order against which the appeal is being preferred;
- (b) the copies of the documents relied upon by the appellant and referred to in the appeal; and
- (c) an index of the documents referred to in the appeal.

7. Procedure in deciding appeal to Commission under sub-section (30 of Section 19 –

(1) In deciding the appeal to the commission, the commission shall :-

- (a) Hear, oral or written, evidence on oath or on affidavit from the concerned or interested person;
- (b) Peruse or inspect documents, public records or copies thereof.
- (c) Enquire through the authorized, officer for further details or facts;
- (d) Hear the State Public Information Officer or the State Assistant Public Information Officer or such officer who decided the first appeal mentioned in sub-section (I) of Section 19, as the case may be;
- (e) Hear the third party if required; and
- (f) Receive evidence on "affidavits from State Public information Officer or the State Assistant Public Information Officer or such officer who decided the first appeal mentioned in sub-section (I) of Section 19 or from the third party; if any

(2) In deciding the appeal the Commission may ask the appellant to add any other information other than the information included in the contents of the second appeal under rule 5.

8. Service of notice by Commission-

The notice required to be issued under sub-section (9) of Section 19, by the Commission may be served in any of the following modes, namely:-

- (a) service by the p~ itself;
- (b) service by hand delivery through the process server;
- (c) service by the registered post with acknowledgement due
- (d) service through the head of office or the Department;

9. Signing of order -

The order of the Commission pronounced in open proceedings shall be in writing and authenticated by the Registrar or any other officer authorized by the Commission in this behalf.

10. Terms and conditions of officers and other employees of Commission -

The officers and other employees of the Commission shall be placed on deputation from the State Government on the usual terms and conditions

By order of the Governor,

Sd/- Trilochon Singh,
Pr. Secretary to the Govt. of West Bengal