

Jharkhand High Court(Right to Information) Rules, 2007

In exercise of the powers conferred under Section 28(1) of the Right to Information Act, 2005, and all enabling provisions in that behalf, the Chief Justice of Jharkhand High Court makes the following Rules for carrying out the provisions of the Right to Information Act.

1. Short title, commencement and application:

- (i) These Rules shall be called the Jharkhand High Court Right to Information Rules, 2007
- (ii) They shall come into force with effect from the date of publication in the Official Gazette.
- (iii) These Rules shall be applicable to the High Court of Jharkhand, Ranchi and all the subordinate courts under the control of the Jharkhand High Court.

2. Definitions: In these Rules, unless the context otherwise requires:

- (a) 'Act' means the Right to Information Act, 2005;
- (b) 'State Public Information Officer' means an Officer of the rank of Joint Registrar, High Court as designated by the Chief Justice of the High Court under section 5(1) of the Act.
- (c) 'State Assistant Public Information Officer' means the Judge Incharge, Administration/ Registrar or Munsif in the Sub-Division as the case may be as designated by the Chief Justice of the High Court under Section 5(2) of the Act.
- (d) 'Registrar General', means the Registrar General, Jharkhand High Court, Ranchi.
- (e) 'High Court' means the High Court of Jharkhand.
- (f) 'Subordinate Courts' means and includes Civil Courts, Small Causes Court, District Courts, Motor Accidents Claims Tribunals, Courts of Judicial Magistrates or other Courts under the administrative control of the High Court.
- (g) 'Section' means Section of the Act.
- (h) All other word and expressions used herein but not defined in the Act shall have the same meanings as assigned in the Act.
- (i) 'Applicant' means the person making request for any information or inspection under the Act.

3. **Fee for providing the information:**

- (i) The fee payable for providing the information except by way of inspection of documents or records shall be Rs. 15/- per page of information, or as prescribed by the competent authority from time to time and such fee shall be paid by way of adhesive court fee stamps.
- (ii) The fee for inspection of documents or records shall be Rs. 50/- for each hour or part of any hour and shall be paid by way of adhesive court fee stamp.

4. The information requested for shall be so sufficiently specified in the application as to lead to its identification without any difficulty, ambiguity or doubt.

5 **Procedure regarding inspection of documents:** For the purpose of inspection of documents or records, the applicant shall not cause any hindrance to the office work and shall cooperate with the staff and complete the inspection as soon as possible in presence of an Officer of the Court. The State Public Information Officer concerned shall have the right to fix the time and date of the inspection according to administrative convenience and his/her decision shall be final.

6 **Information to be provided in the form of certified copies:**

Information as requested by the party shall be provided in the form of certified copies/Xerox copies certified to be true by the State Public Information Officer. The Applicant shall not be entitled to take the originals from the custody of the Officer/Sections concerned.

7 **Register to be maintained:**

The State Public Information Officer/Assistant Public Information Officers shall maintain a register in the format as per the appendix and make necessary entries in the register with regard to the requests received, processed and disposed.

8 If the State Public Information Officer fails to give decision on the request of information within the prescribed period of thirty days, he shall be deemed to have refused the request.

9. Notwithstanding anything contained anywhere else in these Rules, the applicant will be furnished with the information requested for, only if:
- (a) the furnishing of such information is
 - (i) requested for with a positive assertion that the motive for obtaining such information is proper and legal;
 - (ii) in accordance with the provisions of the said Act;
 - (iii) not likely disproportionately to divert the resource of the High Court or the Subordinate Court, as the case might be;
 - (iv) not likely to be detrimental to the safety or preservation of the record in question and
 - (v) not otherwise against any law or practice prevailing in the material regard; and
 - (b) after the processing of the application therefore, permission has been obtained in that behalf from Hon'ble the Chief Justice, or any of the other Hon'ble Judges of the Jharkhand High Court , who might in that regard be, or have been, nominated by Hon'ble the Chief Justice.
10. If any person does not receive the desired information or decision for rejecting the request within the time specified in the Act, he/she may prefer an appeal to the appellate authority notified under rules of the Act within thirty days from the date of expiry of period prescribed under the Act/Rules for taking a decision.
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11. State Public Information Officer shall not be liable to provide any information, which can be obtained under the provision of the Jharkhand High Court Rules, 2001 in case of High Court and under General Rule (Civil/Criminal) in case of subordinate Courts. Such information may be obtained by adhering to the prescribed procedure and payment of fees prescribed in the Jharkhand High Court Rules, 2001, or General Rules (Civil/Criminal), as the case may be.
12. State Public Information Officer will not entertain any application from any citizen for providing any information relating to matters, which are pending

adjudication before the High Court or Courts subordinate thereto. The information relating to judicial matters may be obtained as per the procedure prescribed in the Jharkhand High Court Rules, 2001 and General Rules (Civil/Criminal) respectively.

13. State Public Information Officer will not entertain any application from any citizen for inspection of any record which can be inspected under the Jharkhand High Court Rules, 2001 and General Rules(Civil/Criminal) as the case may be.

14. Appeal: An Officer of the rank of Registrar, High Court of Jharkhand as designated by the Chief Justice shall be the Officer to whom an appeal can be preferred under section 19(1) of the Act against a decision or refusal of information by the State Public Information Officer of the High Court; and to an Officer of the rank of Additional District Judge of a district in respect to a decision or refusal by the State Public Information Officer in a district as designated by the Chief Justice; and such authorities shall exercise all the power/jurisdiction as first appellate authority as provided under the Act.

Appendix

Sl. No.	Date of Application	Name and Address of the party-applicant	Purpose of request	Information required	Fee paid	Date on which Information furnished	Remark
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)