

CHHATTISGARH RIGHT TO INFORMATION (APPEAL) RULES, 2006

114-009/2003/20-01-03. " 7Tü/38 ft. i. fq«rt, 30-5-2001. " 24] 3 3üÜ006—å7 13, 1928 1 7 2006 2. 2-11/2006/1 2005 22 (43.2005) 27 (1) æifQTff (1) . (3-T\$Rö) 2006 (2) ffm. a, 2005 22 2005)'; 247 248 3. 4. (g) (1) (2) (3) (4) (5) (1) (2) (3). (4) (5) (6) 3 2006 50/- 75) qaT, gfh &IT. F. 125) *IIT. 248 (i) 5. 6. 3 2006 2006 2-11/2006/1/6 1 7 2006 t. Raipur, the 17th March 2006 NOTIFICATION No. F 2-11/2006/1/6.— In exercise of the powers conferred by sub-section (1) of section 27, the Right to Information Act, 2005 (No. 22 of 2005) the State Government hereby makes the following rules, namely :-

RULES Short title and commencement These rules may be called The Chhattisgarh right to information (Appeal) rules 2006. (1) They shall come in to force from the date of its publication in the Official Gazette. (2) Definitions— In the rules unless the context otherwise requires,-

2. 3. (a) (b) (c) (d) (e) "Act" means the Right to Information Act, 2005 (No. 22 of 2005) ; "Section" means the sections of the Act ; "Below poverty line" means such citizen of Chhattisgarh who is declared as below poverty line by the Government of Chhattisgarh ; "Fees" means the fees payable under the provisions of the Act The word and expressions used but not defined in these rules shall, assigned to the meaning in the Act. •

First Appeal— Any person who does not receive a decision within the time specified in section 19(1) of sub-section (3) or section 7 or is aggrieved by a decision of the State may within days; from the receipt of such a decision Prefer an appeal 248 (2) 4. 5. 6: (2) (3) (4) (5) 3 2006 post appeal Rs. 75/-) either in cash or in the form of non-judicial stamp to such officer who is in rank to the State public Information officer in each public authority, Provided that such officer may admit the appeal after expiry of the period of thirty days on being satisfied that the applicant was prevented by sufficient cause from filing the appeal in time. In the memorandum of appeal, the name and address of the appellant the basis the subject matter of the information with the name and the post of the competent authority. (1) The order of the competent authority and payment of fee or not providing information in time, shall be specified. for hearing of the appeal the appellate authority shall give minimum 7 days notice to the concerned Public Information Officer. An appeal under sub-rule (1) shall be disposed of within thirty days of the receipt of the appeal or within such extended period not exceeding a total of forty five days recording the reasons in writing for the period extended. The copy of order passed in appeal shall be given free of cost. Second Appeal— (1) (2) (3) (4) (6) A second appeal shall be against the order passed under sub-rule (3) within ninety days from the date on which the order was passed or was actually received to the State Information Commissioner or within forty five days from the date of filing of first appeal. Provided that the State Information Commissioner may admit the appeal after the expiry of the period of ninety days on being satisfied that the appellant was prevented by sufficient cause from filing the appeal in time. In the memorandum of appeal the name and address of the appellant the basis of the subject matter of the information with the name and the post of the competent authority and certified copy of the order of the competent authority shall be given. With the memorandum of appeal filed before the State Information Commissioner the fee of Rs. (rupees one hundred) (for appeal by post Rs. 125/-) in cash or in the form of non-judicial stamp shall be deposited. The State Information Commissioner shall after giving reasonable opportunity of being heard to the public authority or state public information officer or appellant as the case may be decide the appeal assigning the reasons thereon. shall give minimum 7 days notice to concerned parties. The decision of the State Information Commissioner shall be final and binding. A copy of the decision of the State Information Commissioner shall be given free of cost, to the appellant if the appellant wants to receive the copy of the order by post then after receiving the fee and postal charges copy shall be sent within 30 days. The fee chargeable under rule 3 and 4 shall not be charged from the persons who are below poverty line. By order and in the name of the Governor of Chhattisgarh. NAND KUMAR. secretary.