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23 AGRAHAYANA 1940(S)
(NO.PATNA1179) PATNA, FRIDAY, 14TH DECEMBER 2018

Patna High Court

Notification

The 14th December, 2018

No.No.XLIXE-06-2015-526R/Rules Deptt.—In exercise of the power conferred by Sub-Section (i) of Section 28 read with Section 2(e)(iii) of the Right to Information Act, 2005 and with the purpose of harmonizing the Patna High Court (Right to Information) Rules, 2005 earlier framed by this Court with that of the Right to Information Rules, 2012 framed by the Union Government in the Ministry of Personnel, Public Grievances and Pensions, Department of Personnel and Training, the Chief Justice of Patna High Court makes the following amendments in the afore-mentioned the Patna High Court (Right to Information) Rules 2005 read with 1st Amendment Rules, 2008 and the 2nd Amendment Rules, 2011 for its publication in the Bihar Gazette (Extraordinary) as herein under:-

(1) *Short title and commencement:-*

- (i) These Rules shall be called the Patna High Court (Right to Information) (3rd Amendment) Rules, 2018.
- (ii) The amendment shall come into force from the date of publication in the Official Gazette.

Sl. No.	Existing	Be now be read as
1.	<u>Rule-3(a)</u> -Any person seeking information under the Act shall file an application in between 11 A.M. to 1 P.M. in a Court working day to the authorized person in From A and deposit application fee as per Appendix A of the Rules with the authorized person.	Rule-3(a)-Any person seeking information under the Act shall file an application which shall ordinarily not contain more than 500 words excluding annexures in between 11 A.M. to 1 P.M. in a Court working day to the authorized person in From A and deposit application fee as per Appendix A of the Rules with the authorized person.

Sl. No.	Existing	Be now be read as
		Provided that no application shall be rejected only on the ground than it contains more than 500 words.
2.	<p>The 2nd amendment Rules, 2011 relating to Amendment in Rule-3- In Rules 3 in addition to cash (i) Crossed Indian Postal Order, or (ii) DemandDraft/Banker's cheque/Pay order drawn in favour of the Registrar General, Patna High Court payable at Patna can also be accepted as a fee for providing information to the applicants under the R.T.I. Rules, 2005.</p>	<p>The 2nd amendment Rules, 2011 relating to Amendment in Rule-3- In Rules 3 in addition to cash (i) Crossed Indian Postal Order, or (ii) Demand Draft/Banker's cheque/Pay order drawn in favour of the Joint Registrar (Judicial) -cum- Public Information Officer, Patna High Court payable at Patna can also be accepted as a fee for providing information to the applicants under the R.T.I. Rules, 2005. (iii) By Electronic means:-So far as depositing fee through Electronic means is concerned, it is adopted with the rider that the present measures for depositing fee shall continue till the Electronic means is introduced in this High Court.</p>
3.	<p>Rule-6.Penalties.-(1) Whoever being bound to supplying information fails to furnish the information asked for under the Act within the time specified or fails to communicate the rejection order by notification shall be liable to pay penalties upto 50 Rupees per ay for the elayed period beyond 30 days subject to a maximum of 500 Rupees per application filed under Rule 3 as may be determined by the Appellate Authority. (2) Where the information supplied is found to be false in any material particular and which the person is bound to lsupply it knows and has reason to believe it to be false or does not believe it to be true, the person supplying the information shall be liable to pay a penalty of of one thousand rupees, to be imposed by the Appellate Authority.</p>	Rule-6 (1) and (2)-Deleted.
3.	<p>Rule-8. Charging of application fee.-(1) The authorized person shall charge the fee at the following rates, namely:- (A) Application Fee- (i) Information relating to tenders documents/bids/quotation/business contract:- Rs.10 per application. (ii) Information other than (i) above- Rs. 10 per application.</p>	<p>Rule-8. Charging of application fee.-(1) The authorized person shall charge the fee at the following rates, namely:- (A) Application Fee- (i) Information relating to tenders documents/bids/quotation/business contract:- Rs.10 per application. (ii) Information other than (i) above- Rs. 10 per application.</p>

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	<p>(B) Other Fees-</p> <table border="1"> <thead> <tr> <th>Sl. No.</th> <th>Description of Information</th> <th>Price/Fee in Rupees.</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>Where the information is available in the form of a priced publication.</td> <td>Price so fixed.</td> </tr> <tr> <td>2.</td> <td>For other than priced publication.</td> <td>Rs.2 per page.</td> </tr> </tbody> </table> <p>(2) The appellate authority shall charge a fee of Rs.10 per appeal.</p> <p>(3) A separate application shall be made in respect of each subject and in respect of each year to which the information relates.</p>	Sl. No.	Description of Information	Price/Fee in Rupees.	1.	Where the information is available in the form of a priced publication.	Price so fixed.	2.	For other than priced publication.	Rs.2 per page.	<p>(B) Other Fees-</p> <table border="1"> <thead> <tr> <th>Sl. No.</th> <th>Description of Information</th> <th>Price/Fee in Rupees.</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>Where the information is available in the form of a priced publication.</td> <td>Price so fixed.</td> </tr> <tr> <td>2.</td> <td>For other than priced publication.</td> <td>Rs.2 per page.</td> </tr> <tr> <td>3.</td> <td>Information in the form of diskette or floppy</td> <td>Rs.50/- per diskette or floppy.</td> </tr> <tr> <td>4.</td> <td>Inspection of administrative records</td> <td>No fee for inspection of administrative records for the first hour of inspection and fee of Rs.5/- for each subsequent hour of fraction thereof.</td> </tr> <tr> <td>5.</td> <td>Postal charge for supplying information</td> <td>So much of postal charge involved in supply of information that exceeds fifty rupees.</td> </tr> </tbody> </table> <p>(2) Deleted.</p> <p>(3) A separate application shall be made in respect of each subject and in respect of each year to which the information relates.</p> <p>(3) No fee shall be charged from any person who is below the poverty line provided that a copy of the certificate issued by the appropriate Government in this regard is submitted alongwith the application.</p>	Sl. No.	Description of Information	Price/Fee in Rupees.	1.	Where the information is available in the form of a priced publication.	Price so fixed.	2.	For other than priced publication.	Rs.2 per page.	3.	Information in the form of diskette or floppy	Rs.50/- per diskette or floppy.	4.	Inspection of administrative records	No fee for inspection of administrative records for the first hour of inspection and fee of Rs.5/- for each subsequent hour of fraction thereof.	5.	Postal charge for supplying information	So much of postal charge involved in supply of information that exceeds fifty rupees.
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4.	Rules 8(2) read with amendment made vide 1 st Amendment Rules, 2008.	No fee shall be charged for filing 1 st Appeal under Section 19(1) of RTI Act, 2005.																											

By order of the Court,
 BIDHU BHUSHAN PATHAK,
 Registrar General.