

***THE RIGHT TO INFORMATION (SUBORDINATE COURTS AND TRIBUNALS) RULES, 2006**

In exercise of the powers conferred by sub-section (1) of Section 28 of the Right to Information Act, 2005, read with Article 235 of the Constitution of India, the High Court of Kerala hereby makes the following rules in respect of Courts subordinate to the High Court and the Motor Accidents Claims Tribunals.

1. These rules shall be called the Right to Information (Subordinate Courts and Tribunals) Rules, 2006.

2. They shall come into force with effect from the date of publication in the Kerala Gazette.

3. (1) In these rules unless the context otherwise requires,—

- (a) 'Act' means the Right to Information Act, 2005 (No. 22 of 2005);
- (b) 'Appellate Authority' means the officer designated as such by the Chief Justice of Kerala High Court;
- (c) 'Court' means a Court subordinate to the High Court of Kerala and includes Motor Accidents Claims Tribunals;
- [(d) 'Public Information Officer' means the Public Information Officer notified as such, and Assistant Public Information Officer means the Assistant Public Information Officer notified as such by the Presiding Officer of the Subordinate Court or Tribunal;]
- (e) 'Form' means the form appended to these rules;
- (f) 'High Court' means the High Court of Kerala;
- (g) 'Officer' means an official of the Court or Tribunal having custody of the records or information requisitioned;
- (h) 'Section' means a section of the Act.

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

4. The Presiding Officers of the Court shall make every endeavour to make available as much information relating to the administration and functioning of the Court as possible for public information, in the Notice Board of the Courts/Website of the High Court/Government.

5. **Application for seeking information.**— Any person seeking information under the Act shall make an application in Form A to the Public Information Officer or Asst. Public Information Officer with remittance of the required fee, as prescribed by notification published by State Government or High Court.

6. The Public Information Officer shall assign a number to the application. If the application is accompanied with the proof for having paid the prescribed fee, it shall be acknowledged in Form 'B'. Application without accompanying such proof shall be rejected and the applicant intimated as in Form 'C'.

7. The Public Information Officer shall maintain a register as stipulated in Annexure-I.

8. The Public Information Officer shall ensure that the information sought is collected and furnished within the time stipulated in the Act.

* Published under Notification No. D1(A)-76126/2005 Part III Judicial Department dt. 25/05/2006 in K. G. Ext. No. 26 dt. 27/06/2006 (w.e.f. 27/06/2006).

1. Substituted by Notification No. D1(A)-76126/2005 dt. 11/08/2008. Prior to the substitution it read as:
“(d) 'Public Information Officer' means the Public Information Officer notified as such by the Presiding Officer of the Subordinate Court or Tribunal and includes Assistant Public Information Officer;”

ANNX.I RIGHT TO INFORMATION (SUBORDINATE COURTS & TRIBUNALS) RULES, 2006 105

9. Every officer of the Court/Tribunal, who is in charge of the file or material containing the information requisitioned shall furnish the information to the Public Information Officer, correctly and precisely without delay. The officer conveying the information shall be responsible for its accuracy and correctness.

10. If the information is in the custody or charge of two or more officers, the information shall be furnished by their common superior officer.

11. If the officer is of the view that the information requisitioned attracts any of the provisions in Section 8 or 9 of the Act, he shall intimate the Public Information Officer of the fact in writing. If a part of the information can be furnished as per the rules, that part shall be furnished.

12. No application for information or document relating to any judicial proceedings shall be entertained under these rules.

13. No application for information or document relating to a policy matter under consideration shall be entertained.

14. If the information sought is not available in the Court, the Public Information Officer shall forward the application to the public authority concerned.

15. (1) Appeal under Section 19 shall be in Form 'D' and shall be accompanied with remittance of required fee, as prescribed by notification published by the State Government or High Court and an attested copy of the decision assailed.

(2) On receipt of the appeal, the Appellate Authority shall after giving the appellant an opportunity of being heard, shall endeavour to dispose it of within thirty days from the date on which it is presented. A copy of the decision shall be furnished to the appellant and to the Public Information Officer.

(3) The Appellate Authority shall maintain a Register as in Annexure-II.

(4) The Public Information Officer shall carry out the decision of the appellate authority within such period as ordered by the Appellate Authority.

16. The Public Information Officer shall charge fee at the following rates:—

- (a) Rs.10/- on every application in Form A.
- (b) Rupees two for each page (in A-4 or A-3 size paper) created or copied;
- (c) Actual charge or cost price of a copy in larger size paper;
- (d) Rs.50/- per floppy/CD Diskette
- (e) for inspection of records, Rs.10/- for the first hour; and a fee of Rs.50/- for each additional hour (or fraction thereof) thereafter. *
- (f) The fee for filing appeal shall be rupees fifty. * (amended)

17. The applications for information shall be retained for one year after its disposal. The Register shall be retained for 20 years.

ANNEXURE-I
REGISTER OF APPLICATIONS FOR INFORMATION

[See Rule 7]

1. Number assigned to the application :
2. Details of fee remitted (Mode of payment, date and amount) :
3. Name and address of the applicant :
4. Nature of information sought and the official of the Court/
Tribunal who is in custody of the information :
5. Date on which the information has been requisitioned :
6. Date of receipt of information :
7. Details of additional fee required to be paid including date
of requisition, date of receipt and mode of remittance :

- 8. Date of issue of information/Date of communication of rejection of application :
- 9. Remarks :

ANNEXURE-II
[See Rule 15(3)]

- 1. Number assigned to the appeal :
- 2. Details of fee remitted :
- 3. Name and address of the appellant :
- 4. Name of the Public Information Officer/Assistant Public Information Officer whose order is appealed against :
- 5. Whether attested copy of the order is attached :
- 6. Date of decision of the Public Information Officer/Assistant Public Information Officer :
- 7. Whether the appeal is filed within time :
- 8. Date(s) of hearing :
- 9. Date of final order :
- 10. Date on which copy of order is communicated to the appellant and the Public Information Officer :
- 11. Remarks :

FORM-A
APPLICATION FOR SEEKING INFORMATION
[See Rule 5]

Application No. _____ Details of fee remitted _____ Mode of remittance
Date
Amount

To
The Public Information Officer/
Assistant Public Information Officer,
.....
.....

- 1. Name of Applicant :
- 2. Address for correspondence :
- 3. Nature and details of information required :
- 4. Indicate whether the applicant is a party to the litigation, if information sought is in respect of a case :
- 5. The official who is in custody of the file/matter, if known to the applicant :

Place : _____ Signature of the applicant
Date : _____

For Office use
Details of fee remitted for copy of document furnished

No. of Pages	Mode of remittance	Amount	Date
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FORM-B
Name of the Court/Tribunal:
ACKNOWLEDGMENT
[See Rule 6]

Application No.....dated.....submitted by.....is acknowledged.

Date: _____ Signature
Public Information Officer/
Assistant Public Information Officer

FORM-C

[See Rule 6]

Name of the Court/Tribunal:

Kochi - 682 031

Dated :

Ref: Your application for Information No.....dated.....

Sir/Madam,

Your above application stands rejected for the reason that—

1. It is not accompanied with proof for having remitted the fee prescribed.
2. You have not produced proof for having paid additional fee required for issue of copy of document requisitioned.
3. The information sought is not available with the Court/Tribunal.
4. The information sought is prohibited to be issued under Section 8/9 of the Right to Information Act.
5.
6.

The appeal, if any, should be preferred before the.....
Appellate Authority within 30 days from.....

Yours faithfully,

Public Information Officer/
Assistant Public Information Officer.

FORM D

APPEAL UNDER SECTION 19 OF THE RIGHT TO INFORMATION ACT, 2005

[See Rule 15(1)]

Appeal No.
(For official use)

To

Appellate Authority
Address :

1. Name of the appellant :
2. Address for communication :
3. Name of Public Information Officer and Application No. :
4. Date of submission of application in Form A :
5. Date of rejection of application or date on which 30 days from submission of Form A is over :
6. Reasons for appeal— :
 - (a) No response received in Form B, or C within thirty days of submission of Form A :
 - (b) Aggrieved by the response received within prescribed period (Copy of the reply receipt be attached) :
 - (c) Grounds for appeal :
7. Last date for filing the appeal. (See Rule 14(1)(b)) :
8. Particulars of Information— :
 - (i) Information requested
 - (ii) Subject
 - (iii) Period
9. *** amended*

Signature of Appellant
E-mail Address, if any :
Telephone No. (Office)
(Residence)

Place :

Date :

2)

* AMENDMENT

NOTIFICATION

No. D1-36326/2011 (2).

27th June 2012.

In exercise of the powers conferred by sub-section (1) of section 28 of the Right to Information Act, 2005, the Chief Justice of High Court of Kerala makes the following rules :

1. These rules may be called the Right to Information (Subordinate Courts and Tribunals) Amendment Rules, 2011.

2. They shall come into force from the date of publication in the Gazette.

AMENDMENT

3. In the Right to Information (Subordinate Courts and Tribunals) Rules, 2006, substitute clause (e) of rule 16 as follows :

‘For Inspection of records, no fees for the first hour and rupees five for each subsequent hour (or fraction thereof)’.

4. Delete clause (f) of rule 16.

By order,

S. JAGADEES,

Registrar

Kochi.

(Subordinate Judiciary).

** AMENDMENT

NOTIFICATION

No. D1-65708/2015 (2).

9th September 2015.

In exercise of the powers conferred by sub-section (1) of section 28 of the Right to Information Act, 2005, read with Article 235 of the Constitution of India, the High Court of Kerala hereby makes the following rules further to amend the Right to Information (Subordinate Courts and Tribunals) Rules, 2006:

1. These rules may be called the Right to Information (Subordinate Courts and Tribunals) Amendment Rules, 2015.

2. They shall come into force on the date of its publication in the Gazette.

Amendment

3. In the Right to Information (Subordinate Courts and Tribunals) Rules, 2006, in form D titled 'Appeal under section 19 of the Right to Information Act, 2005', the following sentence shall be deleted:

'9. A fee of Rs. 50 for appeal has been remitted vide..... No. dated

By order,

N. ANIL KUMAR,

Kochi-682 031.

Registrar (Subordinate Judiciary).