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കേരള സർക്കാർ
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PART III Judicial Department

THE HIGH COURT OF KERALA, ERNAKULAM NOTIFICATIONS

(1)

No. D1 (A)-76126/2005. 25th May 2006.

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 hereby makes the following rules:

1. These rules shall be called the Kerala High Court (Right to Information) Rules, 2006.
2. They shall come into force with effect from the date of publication in the Kerala Gazette.
3. I 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) 'Public Information Officer' means the Public Information Officer notified as such by the High Court as per orders of the Chief Justice;
 - (d) 'Form' means the form appended to these rules ;
 - (e) "High Court" means the High Court of Kerala.
 - (f) "Officer" means an officer of the High Court not below the rank of Assistant Registrar.
 - (g) 'Section' means a section of the Act.

II Words and expressions used but not defined in these rules shall have the same meaning as assigned to them in the Act:

4. The Registrar General shall make every endeavour to make available as much information relating to the administration and functioning of the High Court as possible for public information, in the Website of the High Court.
5. Application for seeking information:—
Any person seeking information under the Act shall make an application in Form A to the Public Information Officer with remittance of required fee, as prescribed by notification published by State Government High Court.

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 of remittance 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.
9. Every officer of the High Court, 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 High Court, the Public Information Officer shall forward the application to the Public Authority concerned.
15. (1) Appeal under Sec. 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, 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 for fraction thereof) thereafter ;
 - (f) The fee for filing Appeal shall be rupees fifty.
17. The applications for information shall be retained for one year after its disposal. The Register shall be retained for 20 years.

ANNEXURE-I

(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 officer of the High Court 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. Whether attested copy of the order is attached
5. Whether the appeal is filed within time
6. Date/s of hearing
7. Date of final order
8. Date on which copy of order is Communicated to the appellant and the Public information Officer.
9. 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,
High Court of Kerala,
Ernakulam.

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 Administrative Section or Officer who is in custody of the file/matter, if known to the applicant ..

Place :

Date :

Signature of the applicant.

For Office use

Details of fee remitted for copy of document furnished

No. of Pages

Mode of remittance

Amount

Date

FORM-B

THE HIGH COURT OF KERALA

ACKNOWLEDGEMENT

(See Rule 6)

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

(Sd.)
Public Information Officer

FORM-C

(See Rule 6)

THE HIGH COURT OF KERALA

Kochi-682 031

Dated :

Ref:—Your application for information No..... dated.....

Madam,

Your above application stands rejected for the reason that—

It is not accompanied with proof for having remitted the fee prescribed.

You have not produced proof for having paid additional fee required for issue of copy of document requisitioned.

The information sought is prohibited to be issued under Section 8/9 of the Right to Information Act.

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

Yours faithfully,
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. A fee of Rs. 50 for appeal has been remitted vide.....No.....
dated.....

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

Place :

Date :

Acknowledgement
(For office use)

(2)

25th May 2006.

No. D1 (A)-76126/2005.

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 by the Presiding Officer of the Subordinate Court or Tribunal and includes Assistant Public Information Officer;
 - (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 Assistant 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-1.

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

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.

5. (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 asailed.
- (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.
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-1)

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. ..
(f) Date of issue of information/Date of communication of rejection of application. ..
8. 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/ Asst. 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/Asst. 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 :
6. 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

FORM-B

Name of the Court/Tribunal :

ACKNOWLEDGEMENT

(See Rule 6)

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

(Sd.)

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.....

/Madam,

Your above application stands rejected for the reason that—

It is not accompanied with proof for having remitted the fee prescribed.

You have not produced proof for having paid additional fee required for issue of copy of document requisitioned.

The information sought is not available with the Court/Tribunal.

The information sought is prohibited to be issued under Section 8/9 of the Right to Information Act.

.....
.....

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

Signature of Appellant
E-mail Address, if any
Telephone No. (Office)
(Residence)Place:
Date:By order,
(Sd.)
Registrar General.

CHAPTER II

Right to information and obligations of public authorities

3. Subject to the provisions of this Act, all citizens shall have the right to information.

4. (1) Every public authority shall—

a) maintain all its records duly catalogued and indexed in a manner and the form which facilitates the right to information under this Act and ensure that all records that are appropriate to be computerised are, within a reasonable time and subject to availability of resources, computerised and connected through a network all over the country on different systems so that access to such records is facilitated;

b) publish within one hundred and twenty days from the enactment of this Act,—

(i) the particulars of its organisation, functions and duties;

(ii) the powers and duties of its officers and employees;

(iii) the procedure followed in the decision making process, including channels of supervision and accountability;

(iv) the norms set by it for the discharge of its functions;

(v) the rules, regulations, instructions, manuals and records, held by it or under its control or used by its employees for discharging its functions;

(vi) a statement of the categories of documents that are held by it or under its control;

(vii) the particulars of any arrangement that exists for consultation with, or representation by, the members of the public in relation to the formulation of its policy or implementation thereof;

(viii) a statement of the boards, councils, committees and other bodies consisting of two or more persons constituted as its part or for the purpose of its advice, and as to whether meetings of those boards, councils, committees and other bodies are open to the public, or the minutes of such meetings are accessible for public;

(ix) a directory of its officers and employees;

(x) the monthly remuneration received by each of its officers and employees, including the system of compensation as provided in its regulations;

(xi) the budget allocated to each of its agency, indicating the particulars of all plans, proposed expenditures and reports on disbursements made;

(xii) the manner of execution of subsidy programmes, including the amounts allocated and the details of beneficiaries of such programmes;

(xiii) particulars of recipients of concessions, permits or authorisations granted by it;

(xiv) details in respect of the information, available to or held by it, reduced in an electronic form;

(xv) the particulars of facilities available to citizens for obtaining information, including the working hours of a library or reading room, if maintained for public use;

(xvi) the names, designations and other particulars of the Public Information Officers;

(xvii) such other information as may be prescribed, and thereafter update these publications every year,

c) publish all relevant facts while formulating important policies or announcing the decisions which affect public,

d) provide reasons for its administrative or quasi-judicial

decisions to affected persons.

(2) It shall be a constant endeavour of every public authority to take steps in accordance with the requirements of clause (b) of sub-section (1) to provide as much information *suo motu* to the public at regular intervals through various means of communications, including internet, so that the public have minimum resort to the use of this Act to obtain information.

(3) For the purposes of sub-section (1), every information shall be disseminated widely and in such form and manner which is easily accessible to the public.

(4) All materials shall be disseminated taking into consideration the cost effectiveness, local language and the most effective method of communication in that local area and the information should be easily accessible, to the extent possible in electronic format with the Central Public Information Officer or State Public Information Officer, as the case may be, available free or at such cost of the medium or the print cost price as may be prescribed.

Explanation.—For the purposes of sub-sections (3) and (4), "disseminated" means making known or communicated the information to the public through notice boards, newspapers, public announcements, media broadcasts, the internet or any other means, including inspection of offices of any public authority.

5. (1) Every public authority shall, within one hundred days of the enactment of this Act, designate as many officers as the Central Public Information Officers or State Public Information Officers, as the case may be, in all administrative units or offices under it as may be necessary to provide information to persons requesting for the information under this Act.

Designation
of Public
Information
Officers.

(2) Without prejudice to the provisions of sub-section (1), every public authority shall designate an officer, within one hundred days of the enactment of this Act, at each sub-divisional level or other sub-district level as a Central Assistant Public Information Officer or a State Assistant Public Information Officer, as the case may be, to receive the applications for information or appeals under this Act for forwarding the same forthwith to the Central Public Information Officer or the State Public Information Officer or senior officer specified under sub-section (1) of section 19 or the Central Information Commission or the State Information Commission, as the case may be.

Provided that where an application for information or appeal is given to a Central Assistant Public Information Officer or a State Assistant Public Information Officer, as the case may be, a period of five days shall be added in computing the period for response specified under sub-section (1) of section 7.

(3) Every Central Public Information Officer or State Public Information Officer, as the case may be, shall deal with requests from persons seeking information and render reasonable assistance to the persons seeking such information.

(4) The Central Public Information Officer or State Public Information Officer, as the case may be, may seek the assistance of any other officer as he or she considers it necessary for the proper discharge of his or her duties.

(5) Any officer, whose assistance has been sought under sub-section (4), shall render all assistance to the Central Public Information Officer or State Public Information Officer, as the case may be, seeking his or her assistance and for the purposes of any contravention of the provisions of this Act, such other officer shall be treated as a Central Public Information Officer or State Public Information Officer, as the case may be.