Appendix -II

Maharashtra Right to Information Ordinance, 2002.

No. RTI. 2002/C.N.89/2002/5- In exercise of the powers conferred by sub-section (1) of section 18 of the Maharashtra Right to Information Ordinance, 2002. (Mah.Ord. X of 2002); and of all other powers enabling it in this behalf, the Government of Maharashtra hereby makes the following rules (being made for the first time) without previous publication in accordance with the provisions of sub-section (2) of the said section 18, namely:

1. **Short title** :- These rules may be called the Maharashtra Right to Information Rules, 2002.

2. **Definitions**:- (1) In these rules, unless the context otherwise requires,

   (a) "Annexure" means the Annexures appended to these rules;

   (b) "Ordinance" means the Maharashtra Right to Information Ordinance, 2002 (Mah. Ord. X of 2002);

   (c) "Lokayukta" means Lokyukta of the Maharashtra State appointed under section 3 of the Maharashtra Lokayukta and Upa-Lokayuktas Act, 1971 (Mah. XLVI of 1971).

   (2) Words and expressions used in these rules but not defined shall have the same meanings respectively; assigned to them, in the Ordinance.

3. **Procedure for designating Public Information Officers.** - (1) The Competent Authority shall designate one or more of its officers as the
Public Information Officers for each or all its administrative units and offices under him at various levels like Village, Taluka, Sub-Division, District and Regional Division.

(2) The Competent Authority shall display or cause to be displayed at prominent place in the premises of every office or unit of offices under him the details of the concerned Public Information Officer such as the name, designation and address, etc.

4. Preparation of list of Public Information Officers - (1) Every Competent Authority shall prepare a list of all the Public Information Officers designated by him from time to time.

(2) The list shall also contain the names, designations, addresses and the administrative units and offices under such authority.

(3) The list prepared by the Competent Authority under sub-rule (1) shall be kept available for information of general public.

5. Appellate authority: - (1) Every appeal under section 11 of the Ordinance shall lie to the concerned Competent Authority mentioned in clause (3) of section 2 of the Ordinance or to the Officer or Officers authorized by him, by general or special order issued in this behalf for the purposes of this Ordinance.

(2) The Competent Authority, shall authorize its officers as the appellate authorities under clause (1) of section 2 of the Ordinance, generally in the following manner, namely:-
the first appeal against the decisions of all the village and taluka level Public Information Officers may be preferred to the Sub-Division level officer;

(ii) the first appeal against the decisions of Sub-Division level Public Information Officers may be preferred to the District level officer.

(iii) The first appeal against the decisions of the District level Public Information Officers may be preferred to the Regional or Divisional level officer;

(iv) The first appeal against the decisions of the Regional or Divisional level Public Information Officers may be preferred to the Head of the concerned Department;

(v) The first appeal against the decisions of the Public Information Officers at the level of the Administrative Department may be preferred to the Head of the concerned Administrative Department.

6. **Procedure for seeking information**: - (1) Any person desirous of obtaining information as provided under the provisions of the Ordinance shall, apply to the concerned Public Information Officer on plain paper in the format given in Annexure ‘A’ by affixing a court fee stamp of rupees ten.

   (2) The Public Information Officer on receiving the application under sub-rule (1) shall, subject to the provisions of sections 7 and 8, call
and compile the requisite information and shall also assess the amount of fees which will be required to be paid by the applicant as per sub-rule (3).

(3) After the Public Information Officer has compiled the requisite information, he shall send an intimation to the applicant in the format given in Annexure ‘B’ within a period of fifteen days from the date of receipt of the application informing him the amount of fees payable by him as per the Schedule appended to these rules, for the supply of such information to him by the Public Information Officer and the date by which he should make the payment and collect the information.

4) If the information sought for by the applicant cannot be supplied without the assistance of an employee or officer, and such employee and officer fails to supply the required information or to render the assistance within the period specified in sub-section (2) of section 6, then such employee, or as the case may be, the officer (being the person covered by clause (7) of section 2 of the Ordinance), shall be liable for penalty under the Ordinance.

5) The applicant shall pay the requisite fees as informed by the Public Information Officer either by way of money order or by making cash payment in the office of the concerned Public Information Officer or make payment in the Treasury.
6) The amount of fees received from the applicants by the Public Information Officers shall be deposited in the budget head No. "0070 Other Administrative Services, 60-Other Services, 800-Other receipts (18)-Right to Information Ordinance, 2002 (0070-016-1)".

7) On receiving the payment or on receiving the copy of chalan showing payment of fee in treasury, the Public Information Officer shall forthwith supply the information to the applicant either in person or by post.

7. **Procedure for filing an appeal.** – (1) Any person aggrieved by an order of the Public Information officer under sub-section (3) of section 6 may, prefer an appeal to the concerned appellate authority on plain paper in the format given in Annexure "C", affixing a court fee stamp of rupees twenty, with a copy of such order.

(2) Every order passed by the appellate authority shall be communicated to the appellant concerned and also to the Public Information Officer against whose order the appeal preferred.

(3) Any person aggrieved by an order of the appellate authority under sub-section (2) of section 22 may, prefer an appeal to the Lokyukta of Upa-Lokayukta, as the case may be, on plain paper in the format given in Annexure "D", affixing a court fee stamp of rupees twenty, with copy of such order.
(4) The Lokayjkta or Upa-Lokayukta, as the case may be after giving the person or persons affected a reasonable opportunity of being hear pass such order as he may deem fit.

(5) Every order of the Lokyukta or Upa-Lokyukta, as the case may be, shall be communicated to the appellant concerned and also to the appellate authority against whose order the appeal was preferred.

8. Maintenance of register by Public Information Officer - Every Public Information Officer shall maintain a register in the format given in Annexure “E” in respect of the applications received for seeking the information under the Ordinance.
GENERAL ADMINISTRATION DEPARTMENT
Mantralaya, Mumbai 400032, dated the 25th September, 2002

NOTIFICATION

MAHARASHTRA RIGHT TO INFORMATION RULES, 2002.

No. RTI.2002/C.N.89/2002/5. - In exercise of the powers conferred by sub-section (2) of section 2 of the Maharashtra Right to Information Ordinance, 2002 (Mah.Ord. X of 2002), the Government of Maharashtra hereby constitute the following Committee, namely:

a) Additional Chief Secretary, Chairman
   Home Department.

(b) Principal Secretary & Special Enquiry Officer (2) Member
    General Administration Department.

(c) Principal Secretary or Secretary (Legislation),
    Member
    Law and Judiciary Department.

By order and in the name of the Governor of Maharashtra

Gopichandra Tripathy
Principal Secretary to Government.
Annexure-A

(See rule 6(1))

Format of Application form under
The Maharashtra Right to Information Rules, 2002

To,

The Public Information Officer,
(Name of the office with address)

(1) Full name of the applicant :

(2) Address :

(3) Particulars of information required.-

(i) Subject matter of information *

(ii) The period to which the information relates. #

(iii) Description of the information required. $

(iv) Whether information is required by post or in person.
(The actual postal charges shall be included in additional fees).

(v) In case by post (Ordinary, Registered or Speed)

(vi) Purpose for which the information is required.

Place: Signature of the applicant

Date:

• Broad category of the subject to be indicated (such as grant of Government land/Service matters/licenses etc)

• Relevant period for which information is required to be indicated.

• Specific details of the information is required to be indicated.
Annexure-B
(See rule 6(3))

From...........

Designation of the
Public Information Officer,

To,

(Name of the applicant)
Address of the applicant

Sir,

Please refer to your application dated ................. addressed to the undersigned requesting information on ....................... The above information is ready to be supplied to you. The additional fee for supplying this information to you is Rs. .................

You are requested to pay the fee at this Office or send a money order or make payment in Government Treasury and send a copy of the chalan to this office and collect the information.

The amount of fees shall be deposited in the budget head No. "0070 - Other Administrative Services, 60-Other Services, 800-Other receipts, (18) - Right to Information Ordinance, 2002 (0070- 016 -1)"

Please make the payment on or before .................

Place: Signature of Public Information Officer

Date:
Annexure-C
(See rule 7(1))

Affix here
Court Fee
Stamp of
Rs.20/-

Appeal under section 11(1) of the
Maharashtra Right to Information Rules, 2002

From:.................................................. (Applicant’s name and address)

To:.................................................... (Name/designation/address of the appellate authority)

(1) Full name of the appellant:

(2) Address:

(3) Particulars of the Public Information Officer:

(4) Date of receipt of the order appealed against:

(5) Last date for filing the appeal:

(6) Particulars of information -

(i) Nature and subject matter of the information required:

(ii) Name of the office or Department to which the information relates:

(iii) Purpose for which the information required:

(iv) The grounds for appeal (Registered or Speed):

Place: .................................................. Signature of the appellant

Date: ..................................................
DECLARATION

I, .........................................................(Name of the appellant), son of/father of /wife of ............................................................... hereby declare that the particulars furnished in the appeal are to the best of my knowledge and true and correct and that I have not suppressed any material fact.

Signature of the Appellant.

.........................................................(Name & address of Appellate Authority)
Annexure-D

(See rule 7(3))

Appeal under section 11(3) of the Maharashtra Right to Information Rules, 2002

From: ................................................

(Applicant’s name and address)

To: ..................................................

(Lokayukta, Maharashtra State)

(1) Full name of the appellant:

(2) Address:

(3) Particulars of the Appellate authority:

(4) Date of receipt of the order appealed against:

(5) Last date for filing the appeal:

(6) Particulars of information -

Nature and subject matter of the information required:

Name of the Office or Department To which the information relates:

Purpose for which the information required:

The grounds for appeal:
DECLARATION

I, ..........................................................(Name of the appellant), son of/ father of /wife of ................................................................. hereby declare that the particulars furnished in the appeal are to the best of my knowledge and true and correct and that I have not suppressed any material fact.

Place:
Date:

Signature of the Appellant.

To, ..........................................................(Lokayukata, Maharashtra State)
### Annexure-E

(See rule 8)

Register maintained as per rule 8 of Maharashtra Right to Information Rules, 2002

<table>
<thead>
<tr>
<th>Sr.No.</th>
<th>Name of applicant</th>
<th>Date of application</th>
<th>Whether information given or application rejected, details</th>
<th>Whether appeal filed</th>
<th>Remarks, if any</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
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<td>2</td>
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<td>4</td>
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</tr>
</tbody>
</table>

### SCHEDULE

(See rule 6(3))

<table>
<thead>
<tr>
<th>Sr.No.</th>
<th>Description of the Document</th>
<th>Fees in Rupees</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>When the concerned department has already fixed the price of some documents, map, etc.</td>
<td>The price so fixed + postage charges (unless collected personally).</td>
</tr>
<tr>
<td>2</td>
<td>When the information is readily available either by Xeroxing, copying or by other way (Copy).</td>
<td>0.50 Paisa, per page + postage charges (unless collected personally).</td>
</tr>
<tr>
<td>3</td>
<td>If the information is not readily available and needs to be collected</td>
<td>Rs. 2 Per page + Postage charges (unless collected personally).</td>
</tr>
</tbody>
</table>

By order and in the name of the Governor of Maharashtra,

Gopalchandra Tripathy,
Principal Secretary to Government.