

**The Delhi State Legal Services Authority (Right to Information) Rules, 2016**

1. **Short title and commencement:-** (i) These Rules shall be called The Delhi State Legal Services Authority (Right to Information) Rules, 2016.  
(ii) They shall come into force from the date of publication in the official Gazette.
  2. **Definitions:-** (1) In these rules, unless the context otherwise requires:-
    - (a) **'Act'** means the Right to Information Act, 2005;
    - (b) **'Public Information Officer'** means an officer so designated under sub-section(1) of section 5 of the Act, and includes an officer designated as 'Link Officer' under said subsection to work in the absence of the **'Public Information Officer'** who shall not be below the rank of a Superintendent;
    - (c) **'Assistant Public Information Officer'** means an officer so designated under sub-section (2) of section 5 of the Act and includes an officer designated as 'Link Officer' under said sub-section to work in the absence of **'Assistant Public Information Officer'** who shall not be below the rank of an Assistant;
    - (d) **'First Appellate Authority'** means an officer so designated to hear appeals under subsection (1) of section 19 of the Act and includes an officer designated as **'Link Appellate Authority'** under said sub-section to work in the absence of 'First Appellate Authority';
    - (e) **'Authorized Person'** means Public Information Officers/Accounts Officer/any other officer designated by the Member Secretary;
    - (f) **'Section'** means a Section of the Act;
    - (g) Words and expressions used but not defined in these rules shall have the same meaning as assigned to them in the Act.
  3. **Application for seeking information:-** Any person seeking information under this Act shall file an application in either of the following three modes:-
    - i. By Hand
    - ii. By Speed Post or Ordinary Post
    - iii. By Electronic Form on the dedicated e.mail i.d mentioned as below:-
      1. [dslsarti@gmail.com](mailto:dslsarti@gmail.com)    2. [rti.dhclsc@gmail.com](mailto:rti.dhclsc@gmail.com),    3. [cddlsa.thc.rti@gmail.com](mailto:cddlsa.thc.rti@gmail.com),
      4. [westdlsarti@gmail.com](mailto:westdlsarti@gmail.com),    5. [rti.nddlsa@gmail.com](mailto:rti.nddlsa@gmail.com),    6. [dlsasouthrti@gmail.com](mailto:dlsasouthrti@gmail.com),
      7. [rti.dlsasoutheast@gmail.com](mailto:rti.dlsasoutheast@gmail.com),    8. [rtidlsanorth@gmail.com](mailto:rtidlsanorth@gmail.com),    9. [dlsanwrtd@gmail.com](mailto:dlsanwrtd@gmail.com),
      10. [rtieastdlsa@gmail.com](mailto:rtieastdlsa@gmail.com),    11. [rtiswdlsa@gmail.com](mailto:rtiswdlsa@gmail.com),    12. [rtishahdaradlsa@gmail.com](mailto:rtishahdaradlsa@gmail.com),
      13. [rtinortheastdlsa@gmail.com](mailto:rtinortheastdlsa@gmail.com)
- a) In case the application is deposited directly the applicant can file an application during office hours on any working day with the authorized person and deposit application fee as per **Rule No. 17 of these Rules**.

- b) An applicant residing in Delhi and desirous of information being supplied by post, shall file adequately pre-stamped envelope for sending the information by registered post/speed post.
- c) Where the applicant residing in Delhi and has not supplied the pre-stamped envelope in that case he has to turn up for collecting the information by hand on or before two days of completion of the period under RTI Act, 2005. If the applicant fails to do so, the RTI application/reply shall be kept pending for another fifteen days. After fifteen days the information shall not be supplied to the applicant unless he or she submits a fresh application with the requisite fees.
- d) The applicant residing out of Delhi shall be provided the information by post, if he does not intends to collect the information by hand.
- e) For every information sought, a separate application shall be made except where the information sought is consequential or related to one another.
- f) The authorized person shall duly acknowledge the application.
- g) A person who makes a request through electronic form shall ensure that the requisite fee is deposited in cash, Indian Postal Order, Demand Drafts, Pay Order with the authorized person **within 15 days** of his sending the request through the electronic form failing which his application shall be treated as **no application received**.
- h) The postal applications must be duly accompanied with prescribed fees failing which the application shall be deemed to be Dismissed/Rejected.

**4. Disposal of application by the authorized person:-**

- i. If the requested information or partial information does not fall within the jurisdiction of DSLSA, the PIO shall follow the procedure prescribed in Office Memorandum F. No. 13/1/2013/AR/493-662 Dated 04.12.2015 issued by the office of Govt. of National Capital Territory of Delhi, Administrative Reforms Department (annexed at "A")]
- ii. The information shall be supplied as soon as practicable and in any case not later than 30 days from the date of receipt of the application. However, the date of the application shall be deemed to be the date of deposit of the entire fee or the balance fee or deficit amount of the fee to the authorized person.
- iii. Where the information asked for relates to a voluminous record and the applicant desires to be supplied with copies of the part of the record, the applicant may be allowed to inspect the record to point out the documents the copies of which he would like to be supplied.
- iv. Where the part of the information asked for is vague or it is difficult to make out from it, what is being asked for, the Public Information Officer or the Assistant Public Information Officer shall supply part of the information which can be supplied.

- v. Where the information asked for is readily available on the website of the DSLSA or in any book or in any other printed form, the Public Information Officer or the Assistant Public Information Officer shall inform the applicant of the source where this information is available and supply him copy or copies of the same only when specifically asked for.
- vi. Where the information is supplied as the copies of the record, the same shall be paginated, stamped and signed by the Public Information Officer or the Assistant Public Information Officer on each page, as the case may be.

**5. Instructions to the applicants:-** The applicants approaching the Public Information Officer or Assistant Public Information Officer, must follow the following instructions:-

- i. The application should clearly state the information desired to be supplied by the Public Information Officer or the Assistant Public Information Officer.
- ii. In one application, information asked for should be limited to one subject matter for which it would be possible to provide the information from one set of record.
- iii. In an application, no multiple information should be asked for in one question.
- iv. Do not ask too many information in one application, the information asked for should, as far as possible, be precise and brief so as to enable the Public Information Officer or the Assistant Public Information Officer to process the information expeditiously.
- v. In the application filed, avoid using foul or defamatory language or including extraneous matter having no bearing on the information sought.
- vi. Although the applicant is not bound to inform as to the reason for which the information is being asked for but providing such an information voluntarily, may help in identifying information asked for and result in providing the information expeditiously.
- vii. Do not ask for information in the shape of opinions or advises, unless they have been part of any record.
- viii. Do not expect that Public Information officer or the Assistant Public Information Officer to provide information on the basis of hypothetical questions.
- ix. Do not expect that Public Information Officer or the Assistant Public Information Officer will create an information and supply it.
- x. Do not expect that Public Information Officer or the Assistant Public Information Officer to analyze facts and provide the information unless such an analysis is a part of any record.
- xi. No information can be provided relating to any judicial proceeding under this Act.
- xii. An individual is welcome to file as many applications as he or she may desire but care should be taken that they are not aimed at causing harassment to any one.

- xiii. Name and address or in the alternative post box number are required to be stated correctly. If it is found that the name and address/post box number given in the application are not correct, it may result in the dismissal of the application.
- xiv. If the applicant is an employee of the office of the Delhi State Legal Services Authority and aim of his seeking the information is linked with the redressal of any of his grievances, it would be appropriate for him to approach the concerned authority first before seeking information under the Act.

**6. Information relating to third party:-**

- i. Where a Central Public Information Officer or a State Public Information Officer, as the case may be, intends to disclose any information or record, or part thereof on a request made under this Act, which relates to or has been supplied by a third party and has been treated as confidential by that third party, the Central Public Information Officer or State Public Information Officer, as the case may be, shall, within five days from the receipt of the request, give a written notice to such third party of the request and of the fact that the Central Public Information Officer or State Public Information Officer, as the case may be, intends to disclose the information or record, or part thereof, and invite the third party to make a submission in writing or orally, regarding whether the information should be disclosed, and such submission of the third party shall be kept in view while taking a decision about disclosure of information:
- ii. Provided that except in the case of trade or commercial secrets protected by law, disclosure may be allowed if the public interest in disclosure outweighs in importance any possible harm or injury to the interests of such third party.
- iii. Where a notice is served by the Central Public Information Officer or State Public Information Officer, as the case may be, under sub-section (/) to a third party in respect of any information or record or part thereof, the third party shall, within ten days from the date of receipt of such notice, be given the opportunity to make representation against the proposed disclosure.
- iv. Notwithstanding anything contained in **Section 4**, the Central Public Information Officer or State Public Information Officer, as the case may be, shall, within forty days after receipt of the request under **Section 3**, if the third party has been given an opportunity to make representation under **Sub-Section (2)**, make a decision as to whether or not to disclose the information or record or part thereof and give in writing the notice of his decision to the third party.
- v. A notice given under **Sub-Section (3)** shall include a statement that the third party to whom the notice is given is entitled to prefer an appeal under **Section 9** against the decision.

**7. Account of the fee deposited:-** A separate income account shall be kept by the Authorized person i.e. Accounts Officer, Delhi State Legal Services Authority/District Legal Services Authorities of the fee received under these rules. After the closing of quarter he shall prepare or get a statement prepared showing the applications in which the fee or part of the fee remains to be realized. The statement shall be checked and signed by the Public Information Officer.

**8. Exemption from disclosure of information:-** The Public Information Officer or the Assistant Public Information Officer may not provide the information to the applicant on the following grounds:-

- i. The information asked for is covered by sections 8, 9, 11 or 24 of the Act.
- ii. The application is not in accordance with any of the sections of **Rule 3 and 5** of the Delhi State Legal Services Authority (Right to Information) Rules, 2016.
- iii. The information asked for relates to an issue over which this Authority has no jurisdiction to provide such information to the applicant.
- iv. Mediation proceedings as per Mediation and Conciliation Rules, 2004 of High Court of Delhi, New Delhi
- v. The information asked for relates to Delhi Judicial Service or Delhi Higher Judicial Service and this Authority has no jurisdiction to provide such information to the applicant.
- vi. The information amounts to intrusion in the judicial work of any court.
- vii. The information to be sought relates to a judicial proceeding, or judicial functions or the matters incidental or ancillary thereto.
- viii. The information is non existent and will be necessary to create it for supplying it to the applicant.
- ix. The information sought amounts to seeking "opinion" or "advice", which does not form part of any record.
- x. The information amounts to analyzing the information for the applicant which does not form part of any existing record.
- xi. The information asked for is not by a citizen but by an Alien or a Company registered under the Company Registration Act or any other body corporate including a non government organization except where the information has been asked for by any of the office bearers of these organizations in their individual capacity as the citizens of India.
- xii. The application of the applicant may be dismissed if the name and the address provided by the applicant are found to be not correct.
- xiii. The information asked for relates to a vigilance enquiry, except for the final result of the inquiry.

- xiv. Any other reason which may justify not providing the information to the applicant.
- xv. Such information which relates to judicial functions and duties of the Court and matters incidental and ancillary thereto.
- xvi. Information which has been expressly forbidden to be published by the Court or the disclosure whereof may constitute Contempt of Court; or information which includes commercial confidence, trade secrets or intellectual property, the disclosure of which would harm the competitive position of a third party, unless the competent authority is satisfied that larger public interest warrants the disclosure of such information; or information which would impede the process of investigation or apprehension or prosecution of offenders; or information which is detrimental to any public interest, or which would cause unwarranted invasion of the privacy of the individual unless the Central Public Information Officer or the State Information Officer or the appellate authority, as the case may be, is satisfied that the larger public interest justifies the disclosure of such information.
- xvii. Any information affecting the confidentiality of any examination conducted by Delhi State Legal Services Authority. The question of confidentiality shall be decided by the Competent Authority whose decision shall be final.
- xviii. Information related to Identity, address, complaint and other documents/annexure in the case of Rape and Sexual Offence.
- xix. Information related to Identity, address, complaint and other documents/ annexure in the case of Juveniles.
- xx. Information which is to be furnished and access to records shall be subject to the restrictions and prohibitions contained in rules/regulations and destruction of records in force from time to time which may have been notified or implemented by this Authority.

**9. Appeal to the First Appellate Authority:-**

**(a) Documents to accompany appeal:-** Every appeal made to the First Appellate Authority shall be accompanied by following documents:-

- i. Self -attested copies of the orders or documents of the Public Information Officer or of the Assistant Public Information Officer against which the appeal is being preferred;
- ii. Copies of documents relied upon and referred to by the appellant in the appeal.

**10. Powers of First Appellate Authority:-** Any order passed by the First Appellate Authority shall be binding on the appellant as well as on the Public Information Officer or the Assistant Public Information Officer subject to it being set aside, varied or modified in second appeal.

**11. Duty to supply the information:-** Every officer or the employee of the DSLSA, who is called upon to supply the information, shall do so as expeditiously and accurately in accordance with the record without concealing or withholding any information.

**12. Powers of the Public Information officer to lay down instruction:-** The Public Information Officer shall lay down such instruction as may be necessary for observing the hours for the filing of applications, inspection of record or the manner in which the inspection is to be made or such other matters relating to the convenience of the applicants, with the prior permission of the Member Secretary.

**13. Power of The First Appellate Authority/Member Secretary to issue instructions and directions:-**

- a. The First Appellate Authority shall have the power to issue, from time to time, such instructions or directions or pass orders as may be necessary for the implementation of these rules.
- b. The First Appellate Authority may by its orders set aside, vary or modify the orders of the Public Information Officer or the Assistant Public Information Officer and in doing so the First Appellate Authority shall have power to:-
  - i. go into not only the manner in which the decision was made also the merits of the decision;
  - ii. pass orders as to the payment of the fee and the charges to be paid for receiving the information;
  - iii. direct the information to be supplied in a particular form;
  - iv. dismiss the appeal; or
  - v. pass any other orders or directions as may be necessary and considered appropriate in the given circumstances of the case.

**14. Appeal :-** i. Any person:-

- (a) who fails to get a response from the authorized person within 30 days of submission or
  - (b) is aggrieved by the response received within the prescribed period, may appeal to the Appellate Authority.
- ii. On receipt of the appeal the Appellate Authority shall acknowledge the receipt of the appeal and after giving the appellant an opportunity of being heard, shall endeavor to dispose it of within thirty days from the date on which it is presented and send a copy of the decision to the authorized person concerned.
  - iii. In case the appeal is allowed, the information shall be supplied to the applicant by the authorized person within such period as ordered by the Appellate Authority. This period shall not exceed thirty days from the date of the receipt of the order.

**15. Suo motu publication of information by public authorities:-** (i) The public authority may suo motu publish information as per sub-section (l) of Section 4 of the Act by publishing booklets and/or folders and/or pamphlets and/or by other means including web world and update these publications **Every Year**.

**16. Annual Returns:-** As soon as practicable after the end of each year, the Public Information Officer, shall prepare a report on the implementation of the provision of the Act during that year and forward a copy thereof to the Central Information Commission.

**17. Charging of application Fee:- The authorized person shall charge the fee at the following rates, namely:-**

- a) Application Fee : 10/- Rupees per application
- b) Rupees 05/- for each page in A4 or A3 or smaller size paper;
- c) Actual cost or price of a photocopy in large size paper;
- d) Actual cost or price for samples or models;
- e) Rupees 50/- per diskette or floppy;
- f) For inspection of record, **no fee** for the **first hour** and a fee of 05/- for each subsequent hour.
- g) For information provided in printed form at the price fixed for a publication or rupees two per page of photocopy for extracts from the publication;

**18. Maintenance of Records:-**

- i. The authorized persons shall maintain records of all applications received for supply of information and fee charged.
- ii. The PIOs shall maintain the records of all applications received to them, as per The Record Consignment, Retention, Digitization and Weeding Out Schedule, 2013 of this Authority.
- iii. The appellate authority shall maintain records of all appeals filed before it, as per The Record Consignment, Retention, Digitization and Weeding Out Schedule, 2013 of this Authority.

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