

**GOVERNMENT OF ASSAM
ADMINISTRATIVE REFORMS AND TRAINING DEPARTMENT
DISPUR: GUWAHATI-6**

ORDERS BY THE GOVERNOR

NOTIFICATION

Dated Dispur, the 4th February,2006.

No.AR. 87/2005/89 : In exercise of powers conferred by clause (e) of sub-section (2) of section 27 of the **Right to Information Act, 2005 (Central Act No. 22 of 2005)**, the state Government hereby makes the following rules, namely:-

1. **Short title and commencement-**(1) These rules may be called the **Assam State Information Commission (Appeal Procedure) Rules, 2005**.

(2) They shall come into force on the date of their publication in the Official Gazette.
2. **Definitions** – In these rules, unless the context otherwise requires,-
 - (a) **“Act”** means the **Right to Information Act, 2005**;
 - (b) **“Commission”** means the **Assam State Information Commission**;
 - (c) **“Section”** means section of the Act;
 - (d) Words and expressions used herein and not defined but defined in the Act, shall have the meanings respectively assigned to them in that Act.
3. **Contents of appeal.** – An appeal to the Commission shall contain the following information, namely :-
 - (i) name and address of the appellant;
 - (ii) name and address of the Public Information Officer;
 - (iii) particulars of the order against which the appeal is made including number , date and the State Public Information Officer who passed the order;
 - (iv) brief facts leading to the appeal;
 - (v) prayer or relief sought;
 - (vi) grounds for the prayer or relief;

- (vii) provisions of the Act or the rules;
 - (viii) verification by the appellant; and
 - (ix) any other information which the Commission may deem necessary for deciding the appeal.
4. **Documents to accompany appeal.** – Every appeal made to the Commission shall be accompanied by the following documents, namely :-
- (i) attested true copy of the Order against which the appeal is being preferred;
 - (ii) copies of documents relied upon by the appellant and referred to in the appeal; and
 - (iii) an index of the documents referred to in the appeal.
5. **Procedure in deciding appeal.** – In deciding the appeal the Commission shall-
- (i) hear oral or written evidence on oath or on affidavit from concerned or interested person;
 - (ii) peruse or inspect documents, public records or copies thereof;
 - (iii) inquire through authorized officer further details or facts;
 - (iv) hear State Public Information Officer, Assistant State Public Information Officer or such Senior Officer who decide the first appeal, as the case may be;
 - (v) hear third party; and
 - (vi) receive evidence on affidavits from State Information Officer, Assistant State Public Information Officer, such Senior Officer who decided the first appeal or third party.
6. **Service of notice by Commission –**
- Notice to be issued by the Commission may be served in any of the following modes, namely:-
- (i) service by the party itself;
 - (ii) by hand delivery through Process Server;
 - (iii) by registered post with acknowledgement due; or

(iv) through Head of office or Department.

7. **Signing of Order** – Order of the Commission pronounced in open proceedings shall be in writing and authenticated by the Registrar or any other officer authorized by the Commission for the purpose.

(S. K. Khare)
Commissioner & Secretary
Administrative Reforms & Training Department

Memo No.AR. 87/2005/89-A
Copy forwarded to :

Dated Dispur, the 4th February, 2006

1. All Additional Chief Secretaries/Principal Secretaries/Commissioner & Secretaries to the Government of Assam, for information.
2. The Commissioner & Secretary, Chief Minister's Secretariat, Dispur for kind information of the Hon'ble Chief Minister.
3. The Joint Secretary to the Governor of Assam, Governor's Secretariat, M.K.Gandhi Road, Kharghuli, Guwahati-7 for kind information of His Excellency, Governor of Assam.
4. All P.S. to Ministers, Ministers of Independent Charges, Ministers of State, Dispur, Guwahati-6 for kind information of the Minister concerned.
5. The Staff Officer to the Chief Secretary, Assam.
6. The Chairman, Assam Board of Revenue, Guwahati.
7. The Chairman, Assam Administrative Tribunal, Guwahati.
8. The Chairman, Assam Electricity Board, Bijuli Bhawan, Guwahati-8.
9. The Chairman, Assam Public Service Commission, Guwahati.
10. All Departments of the Assam Secretariat, Dispur.
11. All Commissioners of Divisions.
12. All Heads of the Departments.
13. All Autonomous Councils.
14. All Deputy Commissioners and Sub-Divisional Officers, Assam.
15. The Superintendent, Assam Govt. Press, Bamunimaidam, Guwahati-21 for publication of this Notification in a special issue of the Assam Gazette. He is further requested to kindly submit one thousand copies of this special issue to the office of the undersigned for circulation.

By order etc.

(T.C. Bordoloi)
Deputy Secretary to the Govt. of Assam
Administrative Reforms & Training Department
Dispur, Guwahati-6.