

**GOVERNMENT OF GOA**

**LAW COMMISSION**

**Report on Right of Citizens for Time Bound Disposal  
of Official Works**

**Report No. 19**

**March 2012**

**LAW COMMISSION, GOA**

**(REPORT No. 19)**

**Report on Right of Citizens for Time Bound Disposal  
of Official Works**

**Forwarded to the Chief Minister, Government of Goa by Shri  
Ramakant D. Khalap, Chairman, Law Commission, Goa on the day  
of 25th March 2012.**

**The 2nd Law Commission constituted by Government of Goa for a period of one year (Order No. 9/5/2008-LA/100 dated 20<sup>th</sup> January 2009) and further extended for two years w.e.f. 06/04/2010 (Order No. 22/1/2010-LD(Estt.)/LC/530 dated 05/04/2010).**

**The Commission consists of the Chairman, and the two Members.**

**Chairman**

**Shri Ramakant D. Khalap**

**Members**

**Shri Cleofato Coutinho**

**Shri Mario Pinto Almeida**

**The Law Commission is located at B S/1, 3<sup>rd</sup> Floor, Paraiso de Goa, Porvorim-Goa.**

**The text of this Report is available on the internet  
[www.goalawcommission.gov.in](http://www.goalawcommission.gov.in)**

**Any enquiry relating to this Report should be addressed to the O.S.D. to  
Chairman/ Acting Secretary and sent either by post to the Law  
Commission, B S/1, 3<sup>rd</sup> Floor, Paraiso de Goa, Porvorim-Goa or email  
to [chairman-glc.goa@nic.in](mailto:chairman-glc.goa@nic.in) or [rdkhalap@rediffmail.com](mailto:rdkhalap@rediffmail.com)**

## REPORT

Common man (Aam Admi) suffers at all levels at the hands of Government servants. Our mammoth bureaucracy is a like a huge cobweb which catches, entangles and suffocates poor aam admi.

He can only bribe his way out of the cobweb of red tape or use influence if he has the right connection. Corruption, nepotism and favourism have therefore percolated at all levels of Administrative set up. No Lokpal/Lok Ayukta or any Administrative reference will ever be able to ensure timely disposal of official work unless a time frame for disposal of office work is prescribed and the erring Government official is held accountable for his acts of omission or commission.

While we were thus contemplating on measures to propose a mechanism for time bound disposal of official work our attention was drawn to an article published in the daily Gomantak dated 31/08/2011 captioned “लोकपाल लढाईतील दुसरे पाऊल”. We contacted the Author of the Article for his advice. We were presently surprised to receive from the author Shri Arvind Surve, a retired IAS Officer, a prototype of a legislation on the subject matter, designed on the lines of Right to Information Act. Shri Surve was kind enough to call on us in person and to discuss his draft with us. We decided to adopt his draft with a few modifications. The Draft Bill “The Right to Time Bound Lawful Disposal of Official Work Bill 2011” is the outcome of the deliberation with Mr. Surve. The Law Commission records with gratitude the contribution of Shri Arvind Surve in drafting the Bill.

### Salient features of the Bill

1. The Act recognizes and postulates that every citizen has a right to have his application or work or case disposed by the Government within stipulated time periods.
2. It enjoins upon every Public Authority except intelligence and security organizations to publish a charter of its organization, functions, duties, and powers of its officers, procedure and process of making decisions, supervise and accountability as well its Rules and Regulations.
3. It provides for creation of -
  - a) Official work disposal officers in every public authority who shall dispose of work within the prescribed time frame, except subjudice matters.

- b) State Level Official Work Disposal Commission to be appointed by the Governor on the recommendation of a Committee consisting of CM, a Cabinet Minister and Leader of Opposition which shall hear appeals against the orders of official work Disposal Officers.
4. Official Work Disposal Officers shall be liable for Penalties and disciplinary action for dereliction of duties.

## **RECOMMENDATION**

The Draft Bill “Report on Right of Citizens for Time Bound Disposal of Official Works” may be passed in the Legislative Assembly

**We recommend accordingly.**

**(Ramakant D. Khalap)**  
**Chairman**

**(Cleofato Coutinho)**  
**Member**

**(Mario Pinto Almeida)**  
**Member**

# THE RIGHT TO TIME BOUND LAWFUL DISPOSAL OF OFFICIAL WORKS BILL :2012

## The Goa Right to Time Bound Lawful Disposal of Official Works Bill 2012

An Act to provide for Right to Time Bound Disposal of Individual Citizen's applications/cases, to secure speedy and timely disposal of Citizen's applications/cases, in order to ensure, efficient and justifiable disposal of Citizen's cases, transparency and accountability in the working of every public authority, the constitution of STATE OFFICIAL WORK DISPOSAL COMMISSIONER and for matters connected therewith or incidental thereto.

Whereas in a welfare state, it is necessary to ensure transparency and accountability of Government, a time bound right of disposal of official works, and also to contain corruption and to hold Government and its instrumentalities accountable to the governed.

Be it enacted by Goa Assembly in the Sixty Second Year of the Republic as follows.

### CHAPTER I

#### PRELIMINARY

##### 1) **Short Title, extent and commencement**

- 1) This Act may be called the Goa Right to Time Bound Lawful Disposal of Official Works Act 2012.
- 2) It may extend to whole of Goa
- 3) This Act shall come into force on the.....this day of 2012.

##### 2) **Definitions**

In this Act, unless the context otherwise requires,-

- a) **“appropriate Government”** means in relation to a public Authority which is established, constituted, owned, controlled or substantially financed by funds provided directly or indirectly-  
The State Government;

- b) “The State Government”** means the State Government of Goa.
- c) “State Public Official Work Disposal Officer”** means the State Public Officer designated under sub section 1 and includes a State Assistant Public Officer designated as such under sub section (2) of section 5;
- d) “Chief Official Work Disposal Commissioner” and “Official Work Disposal Commissioner”** means the Chief Commissioner and Commissioner appointed under sub section (3) of section 12.
- e) “Competent Authority”-**
- (i) the Speaker of the Legislative Assembly in the case of Legislative Assembly
  - (ii) The Justice of the High Court in the case of a High Court
  - (iii) The Governor, as the case may be, in the case of other Authorities established or constituted by or under the Constitution
- f) “ Official work”** includes  
Any application/cases of Citizen or Citizens or file regarding any Government Service to Citizen;
- g) “Prescribed”** means prescribed by rules made under this Act by the State Government or the Competent Authority, as the case may be;
- h) “Public Authority”** means any Authority or body or institution of self Government established or constituted-
- (i) by or under the Constitution;
  - (ii) by any other law made by State Legislature;
  - (iii) by notification issued or order made by the State Government,  
And includes any-
  - (iv) body owned, controlled or substantially financed;
  - (v) non Government Organization substantially financed, directly or indirectly by funds provided by the appropriate Government;
- i) “Right to Lawful Disposal of official work”** means the right to get disposed the official work prescribed under this Act which is done by or under the control of any public authority and includes the right to disposal of official work, documents, records in specified time limit prescribed under this Act;
- j) “State Official Work Disposal Commission”** means the State Official work Disposal Commission constituted under sub section (1) of section 15;

k) “**State Chief Official Work Disposal Commissioner**” and “**State Official Work Disposal Commissioner**” means the State Chief Commissioner and State Commissioner appointed under sub section (3) of section 15;

l) “**State Public Official Work Disposal Officer**” means the State Public Disposal Officer designated under sub section (1) and includes a State Assistant Public Officer designated as such under sub section (2) of section 5.

## CHAPTER II

### PROVISION RELATING TO RIGHT TO TIME BOUND LAWFUL DISPOSAL OF CITIZEN’S APPLICATIONS AND CASES AND OBLIGATIONS OF PUBLIC AUTHORITIES

#### **3) Right to Time bound disposal of official work**

Subject to the provisions of this Act, all citizens shall have the right to time bound disposal of their applications, work and cases, relating to Government.

#### **4) Obligations of Public Authority**

Every Public Authority shall-

a) publish within one hundred and twenty days from the enactment of this Act,-

- (i) The particulars of its organization, 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;
  - i. the rules, regulations, instructions, manuals and records, held by it or under its control or used by its employees for discharging its functions;
  - ii. and thereafter update these publications every year;

#### **5) Designation of official work Disposal Officers**

1) Every public Authority shall, within one hundred days of enactment of this Act, designate as many officers as the State official work disposal officers, as the case may be, in all administrative units or offices under it as

may be necessary to dispose office work to persons requesting for disposal of office work under this Act.

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 as a State Assistant official work Disposal Officer, as the case may be, to receive the applications for disposal of official work or appeals under this Act for forwarding the same forthwith to the State official work disposal Officer or senior officer specified under sub section (1) of section 19 or the State official work disposal Commission, as the case may be.

Provided that where an application for disposal of official work or appeal is given to State Assistant official work disposal 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 State official work disposal Officer, as the case may, shall deal with requests from persons seeking information and render reasonable assistance to the persons seeking such disposal of official work.

4) The State Public official work disposal Officer, as the case may be, may seek the assistance of any other officer as he or she considers it necessary for the roper discharge of his or her duties.

5) Any officer whose assistance has been sought under sub section (4), shall render all assistance to the State official work disposal 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 State official work disposal Officer, as the case may be.

## **6) Request for obtaining information**

1) A person, who desires to dispose official work under this Act, shall make a request in writing or through electronic means accompanying such fee as may be prescribed, to-

(a) State official work disposal Officer, as the case may be, of the concerned work disposal Officer, as the case may be, of the concerned pubic authority.

(b) State official work disposal Officer, as the case may be, specifying the particulars of official work disposal sought by him or her.

Provided that where such request cannot be made in writing, the State official work disposal Officer, as the case may be, shall render all reasonable assistance to the person making the request orally to reduce the same in writing.

2) An applicant making request for disposal of official work shall not be required to give any other personal details except those that may be necessary for contacting him.

3) Where an application is made to a public authority requesting for disposal of official work

(i) which is held by another public authority; or

(ii) the subject matter of which is more closely connected with the functions of another public authority, the public authority, to which such application is made, shall transfer the application or such part of it as may be appropriate to that other public authority and inform the applicant immediately about such transfer:

Provided that the transfer of an application pursuant to this sub section shall be made as soon as practicable but in no case later than five days from the date of receipt of the application.

## **7) Disposal of official work**

1) Subject to the proviso to sub section (2) of section 5 or the proviso to sub section (3) of section 6, the State official work Disposal Officer as the case may be on receipt of such request under section 6 shall as expeditiously as possible and in any case as per prescribed Schedule to ensure disposal of the official work reject the request for any reason specified in section 8 and 9;

2) The State official work Disposal Officer as the case may be fails to ensure and dispose the official work within stipulated time as described in the Schedule, the State official work Disposal Officer and the concerned officer/authority as the case may be shall be deemed to have refused to do the official work.

3) Where the decision is taken to dispose the official work on payment of any fee representing the cost to dispose the official work, the State official work Disposal Officer as the case may be shall send an intimation within 7 days to the person making the application, for giving specific disposal of office work application, cases of individual, file related to such subject and

pending for disposal in any public authority office for lawful disposal of cases.

4) Where the disposal of official work has been rejected under sub section (1) the official work disposal officer as the case may be shall communicate to the person making the request-

- (i) the reasons for such rejection
- (ii) the period within which an appeal against such disposal of official work may be preferred and
  - i) the particulars of the appellate authority

### **8) Exemption from Disposal of applications/cases**

1) Notwithstanding anything contained in this Act there shall be no obligation to dispose the official work in matters which are subjudice, under the prevalent act/rules.

### **9) Grounds for rejection to disposal of official work in certain cases**

Without prejudice to the provisions of section 8 a State official disposal officer as the case may be may reject request for disposal of official work where such a official work disposal would involve any secrecy of State and communicate valid reasons thereof.

### **10) Severability**

1) Where disposal of official work pertains to only a part of the official work under sub section (1) the State lawful official work disposal officer as the case may be shall give

a) the reasons for the decision, including any findings on any material question of fact referring to the material on which those findings were based;

b) the name and designation of the person giving the decision;

c) his or her rights with respect to review of the decision regarding non disclosure of remaining part of the official work the amount of fee charged or the form of access provided including the particulars of the Senior officer specified under sub section (1) of section 19 or the State official work disposal Commission as the case maybe, time limit, process and any other form of access.

## CHAPTER III

### THE STATE LAWFUL OFFICIAL WORK DISPOSAL COMMISSION

#### **11) Constitution of state lawful official work disposal Commission**

1) The State Government shall, by notification in the Official Gazette, constitute a body to be known as the State lawful official work disposal Commission to exercise the powers conferred on, and to perform the functions assigned to, it under this Act.

- 2) The State official work disposal Commission shall consist of
- a) the State lawful official work disposal Commissioner; and
  - b) such number of state lawful official work disposal Commissioners not exceeding three, as may be deemed necessary.

3) The Chief lawful official work disposal Commissioner and lawful official work disposal Commissioners shall be appointed by the Governor on the recommendation of a Committee consisting of-

- i) The Chief Minister, who shall be the Chairperson of the Committee;
- ii) The Leader of Opposition in Vidhan Sabha; and
- iii) A Cabinet Minister to be nominated by the Chief Minister

Explanation- For the purpose of removal of doubts, it is hereby declared that where the Leader of Opposition in the Legislative Assembly has not been recognized as such, the Leader of the single largest group of opposition of the Government in the Legislative Assembly shall be deemed to be the Leader of Opposition.

4) The General Superintendence, direction and management of the affairs of the State lawful official work disposal Commission shall vest in the Chief lawful official work disposal Commissioner and may exercise all such powers and do all such acts and things which may be exercised or done by the State lawful official work disposal Commission autonomously without being subjected to directions by any other authority under this Act.

5) The Chief lawful official work disposal Commissioner and lawful official work disposal Commissioners shall be persons of eminence in public life with wide knowledge and experience in law, science and technology, social service management, journalism, mass media or administration and governance.

6) The Chief lawful official work disposal Commissioner or lawful official work disposal Commissioner shall not be Member of Parliament or Member of Legislature, as the case may be, or hold any other office of profit or be connected with any political party or organization or carrying on any business or pursuing any profession.

7) The Headquarters of the State lawful official work disposal Commission shall be at such place as the Government may notify.

**12) Term of office and condition of service**

1) The Chief lawful official work disposal Commissioner shall hold office for term of five years from the date on which he enters upon his office and shall not be eligible for reappointment.

Provided that no Chief lawful official work disposal Commissioner shall hold office as such after he has attained the age of sixty five years.

2) Every lawful official work disposal Commissioner shall hold office for term of five years from the date on which he enters upon his office or till he attains the age of sixty five years, whichever is earlier, and shall not be eligible for re-appointment as such lawful official work disposal Commissioner.

Provided that every lawful official work disposal Commissioner shall, on vacating his office under this sub section be eligible for appointment as the Chief lawful official work disposal Commissioner in the manner specified in sub section (3) of section 12.

Provided further that where the lawful official work disposal Commissioner is appointed as the Chief lawful official work disposal Commissioner, his term of office shall not be more than five years in aggregate as the official work Commissioner and the Chief lawful official work disposal Commissioner and the lawful official work disposal Commissioner.

3) The Chief lawful official work disposal Commissioner or lawful official work disposal Commissioner shall before he enters upon his office make and subscribe before the Governor or some other person appointed by him in that behalf, an oath or affirmation according to the form prescribed.

4) The Chief lawful official work disposal Commissioner or lawful official work disposal Commissioner may, at any time, by writing under his hand addressed to the Governor resign from his office.

5) The salaries and allowances payable to and other terms and conditions of service of

a) The Chief lawful official work disposal Commissioner shall be the same as that of the State Election Commissioner;

b) The lawful official work disposal Commissioner shall be the same as that of a Deputy Election Commissioner.

Provided that if the Chief lawful official work disposal Commissioner or lawful official work disposal Commissioner, at the time of his appointment is, in receipt of a pension, other than a disability or wound pension, in respect of any previous service under the State Government, his salary in respect of the service as the Chief lawful official work disposal Commissioner or lawful official work disposal Commissioner shall be reduced by the amount of that pension including any portion of pension which was commuted and pension equivalent of other forms of retirement benefits excluding pension equivalent of retirement gratuity.

Provided further that if the Chief lawful official work disposal Commissioner or an lawful official work disposal Commissioner if, at the time of his appointment is, in receipt of retirement benefits in respect of any previous service rendered in a Corporation established by or under any State Act or a Government Company owned or controlled by the State Government, his salary in respect of the service as the Chief lawful official work disposal Commissioner or lawful official work disposal Commissioner shall be reduced by the amount of pension equivalent to the retirement benefits.

Provided also that the salaries, allowances and other conditions of service of the Chief lawful official work disposal Commissioner and the lawful official work disposal Commissioners shall not be varied to their disadvantage after their appointment.

6) The State Government shall provide the Chief lawful official work disposal Commissioner and the lawful official work disposal Commissioners with such officers and employees as may be necessary for the efficient performance of their functions under this Act, and salaries and allowance payable to and the terms and conditions of service of the officers and other employees appointed for the purpose of this Act shall be such as may be prescribed.

## CHAPTER IV

### APPEALS AND PENALTIES

#### **13) Power and function of Commission**

1) Subject to the provisions of this Act, it shall be the duty of the State Official Work Disposal Commission, as the case may be, to receive and inquire into complaint from any person

a) who has been unable to submit a request to a State Official Work Disposal Officer, as the case may be, either by reason that no such Official Work Disposal Officer has been appointed under this Act or because the State Assistant Official work disposal Commissioner or appeal under this Act for forwarding the same to the State Office work disposal Officer Senior Officer specified in sub section (1) of section 19 or the State Office work Commission as the case may be;

b) who has been refused access to any office work requested under this Act.

c) who has not been given a response to request for office work disposal access to disposal of office work within the time limit specified under this Act;

d) who has been required to pay an amount of fee which he or considers unreasonable;

2) Where the State Official work disposal Commission, as the case may be, is satisfied that there is reasonable ground to dispose the office work, it may inquire in respect there for.

3) The State Office work disposal Commission, as the case may be, shall while inquiring into any matter under this section have same powers as are vested in the Civil Court while trying suit under the Code of Civil procedure, 1908, in respect of the following, namely:-

a) Summoning and enforcing the attendance of persons and compel them to give oral or written evidence on oath and to produce the documents or things;

b) Requiring the discovery and inspection of document;

c) Receiving evidence on affidavit;

- d) Requisitioning any public record or copies thereof from any Court or office;
- e) Issuing summons for examination of witnesses or documents; and
- f) Any other matter which may be prescribed.

4) Notwithstanding anything inconsistent contained in any other Act State Legislature, as the case may be, the State Official work disposal Commission, as the case may be, may, during the inquiry of any complaint under this Act, examine any record, to which this Act applies, which is under the control of the public authority, and no such record may be withheld from it any grounds.

#### **14. Appeal**

1) Any person who, does not receive a decision within the time specified in sub section (1) or clause (a) of sub section (3) o section 7, or is aggrieved by a decision of the State Official work disposal Officer, as the case may be, may within thirty days from the expiry of such period or from the receipt of such a decision prefer an appeal to such officer who senior in rank to the State Official work disposal Officer, as the case may be, in each public authority.

Provided that such officer may admit the appeal after the expiry of the period of thirty days if he or she is satisfied that, the appellant was prevented by sufficient cause from filling the appeal in time.

2) When an appeal is preferred against the order made by State Official work disposal Officer, as the case may be, under section 11 to disclose third party office work, the appeal by the concerned third party shall be made within thirty days from the date of the order.

3) A second appeal against the decision under sub section (1) shall lie within ninety days from the date, on which the decision should have been made or was actually received, with the State Official work disposal Commission.

Provided that the State Official work disposal Commission, as the case may be, may admit the appeal after the expiry of the period of ninety days if it is satisfied the appellant was prevented by sufficient cause from filling appeal in time.

4) If the decision of the State Public Official work disposal Officer, the case may be against which an appeal is preferred relates to information of a third party, the State Official work disposal Commission, as the case may be, shall give a reasonable opportunity of being heard to that third party.

5) In any appeal proceedings, the onus to prove that a denial of request was justified shall be on the State Official disposal Commission, as the case may be, who denied the request.

6) An appeal sub section (1) or sub section (2) shall be disposed of within thirty days of the receipt of the appeal or within such extended period not exceeding a total of forty five days from the date of filing thereof, as the case may be, for reasons to be recorded in writing.

7) The decision of the State Official work disposal Commission, as the case may be, shall be binding.

8) In its decision, State Official work disposal Commission, as the case may be, has the power to,-

- a) Require the public authority to take any such steps as may be necessary to secure compliance with the provisions of this Act, including-
  - i) By disposing the official work if so required in a particular form;
  - ii) By appointing a State Official work disposal Officer, as the case may be;
  - iii) By making necessary changes to its practices in relation to the maintenance, management and destruction of records;
  - iv) By enhancing the provision of training on the official work disposal for its officials;
  - v) By providing it with an annual report in compliance with clause (b) of sub section (1) of section 4;
- b) Require the public authority to compensate the complainant for any loss or other detriment suffered;
- c) Impose any of the penalties provided under this Act
- d) Reject the application

9) The State Official work disposal Commission, as the case may be, shall give notice of its decision, including any right of appeal, to the complainant and the public authority.

10) The State Official work disposal Commission, as the case may be, shall decide the appeal in accordance with such procedure as may be prescribed.

### **15) Penalties**

1) Where the State Official work disposal Commission, as the case may be, at the time of deciding any complaint or appeal is of the opinion that the State official work disposal Officer, as the case may be, has, without any reasonable cause, refused to receive an application for official work or has not disposed the official work within the time specified under sub section (1) of section 7 or malafidely denied official work disposal or knowingly given incorrect, incomplete or misleading information or destroyed information which was the subject of the request or obstructed in any manner in furnishing the disposal of official work, it shall impose a penalty of two hundred and fifty rupees each day till application is received or information is furnished, so however, the total amount of such penalty shall not exceed twenty five thousand rupees;

Provided that the State official work disposal Officer, as the case may be, shall be given a reasonable opportunity of being heard before any penalty is imposed on him.

2) Where the State official work disposal Commission, as the case may be, at the time of deciding any complaint or appeal is of the opinion that the State official work disposal Officer, as the case may be, without any reasonable cause and persistently, failed to receive an application for information or has not furnished information within the time specified under sub section (1) of section 7 or malafidely denied the request for information or knowingly given incorrect, incomplete or misleading information or destroyed information which was the subject of the request or obstructed in any manner in furnishing the information, it shall recommend for disciplinary action against the State official work disposal Officer, as the case may be, under the service rules applicable to him.

## CHAPTER V

### MISCELLANEOUS

#### **16) Protection of action taken in good faith**

No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done under this Act or any rule made thereunder.

#### **17) Act to have overriding effect**

The provisions of this Act shall have effect notwithstanding anything consistent therewith contained in the Official Secrets Act 1923 (19 of 1923), and any other law for the time being in force or in any instrument having effect by virtue of any law other than this Act.

#### **18) Bar of jurisdiction of Courts**

No Court shall entertain any suit, application or other proceeding in respect of any order made under this Act and no such order shall be called in question otherwise than by way of an appeal under this Act.

#### **19) Act not to apply to certain organizations**

1) Nothing contained in this Act shall apply to the intelligence and security organizations specified in the Second Schedule, being organizations established by the State Government or any information furnished by such organizations to that Government;

2) The State Government may, by notification in the Official Gazette, amend the Schedule by including therein any other intelligence or security organization already specified therein and on the publication of such notification, such organization shall be deemed to be included in or, as the case may be, omitted from the Schedule.

3) Every notification issued under sub section (4) shall be laid before the State Legislature.

#### **20) Monitoring and reporting**

1) The State official work disposal Commission, as the case may be, shall, as soon as practicable after the end of each year, prepare a report on

the implementation of the provisions of this Act during that year and forward a copy thereof to the appropriate Government.

2) Each Ministry or Department shall in relation to the public authorities within their jurisdiction, collect and provide such information to the State official work disposal Commission, as the case may be, as is required to prepare the report under this section and comply with the requirements concerning the furnishing of that information and keeping of records for the purposes of this section.

3) Each report shall state in respect of the year to which the report relates-

- a) the number of requests made to each public authority;
- b) the number of decisions where applicants were not entitled to ask to dispose the official work pursuant to the request, the provisions of this Act under which these decisions were made and the number of times such provision were invoked;
- c) the number of appeals referred to the State disposal of official work Commission, as the case may be, for review, the nature of the appeals and the outcome were invoked;
- d) particulars of any disciplinary action taken against any officer in respect of the administration of this Act;
- e) the amount of charges collected by each public authority under this Act;
- f) any facts which indicate an effort by the public authorities to administer and implement the spirit and intention of this Act;
- g) recommendation for reform, including recommendations in respect of the particular public authorities, for the development, improvement, moderation, reform or amendment to this Act or other legislation or common law or any other matter relevant for operational sing the right to access information.

4) The State Government, as the case may be, as soon as practicable after the end of each year, cause a copy of the report of the State office work disposal Commission, as the case may be, referred to in sub section (1) to be laid before each House of the State Legislature where there are to House of the State Legislature before that House.

## **21) Appropriate Government to prepare programmes**

1) The appropriate Government may, to the extent of availability of financial and other resources,-

- a) develop and organize educational programmes to advance the how to exercise the rights contemplated under this Act.
- b) encourage public authorities participate in the development and organization of programmes referred to in clause (a) and to undertake such programmes themselves;
- c) promote timely and effective dissemination of accurate information by public authorities about their activities; and
- d) train State official work disposal Commission, as the case may be, of public authorities and produce relevant training materials for use by the public authorities themselves.

2) The appropriate Government shall, within eighteen months from the commencement of this Act, compile in its official language a guide containing such information, in an easily comprehensible form and manner, as many reasonably be required by a person who wishes to exercise any right specified in this Act.

3) The appropriate Government shall, if necessary, update and publish the guidelines referred to in sub section (2) at regular intervals which shall, in particular and without prejudice to the generality of sub section (2), include

- a) The object of this Act
- b) The postal and street address, the phone and fax number and, if available, electronic mail address of the State official work disposal Officer, as the case may be, of every public authority appointed under sub section (1) of section 5.
- c) The manner and the form in which request for disposal of office work shall be made to a State official work disposal Officer, as the case may be;
- d) The assistance available from and the duties of the State official work disposal Commission, as the case may be, of a public authority under this Act;

- e) The assistance available from the State official work disposal Commission, as the case may be,
  - f) All remedies in law available regarding an Act or failure to act in respect of a right or duty conferred or imposed by this Act including the manner of filing an appeal to the Commission;
  - g) The provisions providing for the voluntary disclosure of categories of records in accordance with 4;
  - h) The notice regarding fees to be paid in relation to request for disposal of office work; and
  - i) Any additional regulations or circulars made or issued in relation to Disposal of office work in accordance with this Act.
- 4) The appropriate Government must, if necessary, update and publish the guidelines at regular intervals.

## **22) Power to make rules by appropriate Government**

- 1) The appropriate Government may, by notification in the Official Gazette, make rules to carry out the provision of this Act.
- 2) In particular, and without prejudice to the generality of the forgoing power, such rules may provide for all or any of the following matters, namely:-
  - a) The cost of the medium or print of the materials to be disseminated under sub section (4) of section 6;
  - b) The fee payable under sub section (1) of section 6;
  - c) The fee payable under sub section (1) and (5) of section 7;
  - d) Salaries and allowances payable to and the terms and conditions of service of the officers and other employees under sub section (6) of section 13 and sub section (6) of section 16.
  - e) The procedure to be adopted by the State official work disposal, as the case may be, in deciding the appeals under sub section (10) of section 19; and
  - f) Any other matter which is required to be, or may be, prescribed.

**23) Power to make rules by competent authority**

- 1) The competent authority may, by notification in the Official Gazette, make rules to carry out the provision of this Act.
  
- 2) In particular, and without prejudice to the generality of the forgoing power, such rules may provide for all or any of the following matters, namely-
  - i) The cost of the medium or print of the materials to be disseminated under sub section (4) of section 6;
  - ii) The fee payable under section (1) of section 6
  - iii) The fee payable under section (1) of section 7; and
  - iv) Any other matter which is required to be, or may be, prescribed.

**24) Laying of rules**

1) Every rule made by the State Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament , while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive session aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

2) Every rule made under this Act by a State Government shall be laid, as soon as may be after it is notified, before the State Legislature.