

1 THE PUNJAB RIGHT TO INFORMATION RULES, 2007

Notification
The 25th June, 2007

No.G.S.R.16/C.A.22/2005/S.27/2007.— In exercise of the powers conferred by sub-section (1) of section 27 of the Right to Information Act, 2005 (Central Act No. 22 of 2005), and all other powers enabling him in this behalf, the Governor of Punjab is pleased to make the following rules to provide for the matters specified in sub-section (2) of the said section, namely:—

RULES

1. Short title, commencement.— (1) These rules may be called the Punjab Right to Information Rules, 2007.

(2) They shall come into force on and with effect from 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 (Central Act No. 22 of 2005);
- (b) "Commission" means the Punjab State Information Commission, constituted under section 15;
- (c) "Form" means a Form, appended to these rules; and
- (d) "Section" means a section of the Act

(2) The words and expressions used in these rules, but not defined, shall have the same meanings as assigned to them in the Act.

3. Application for obtaining information. [Sections 2(m) 6 and 27].— (1) A person, who desires to obtain any information admissible under the Act, shall make an application in Form 'A' to the State Public Information Officer either in person or through registered post alongwith a fee, specified in sub-rule (1) of rule 5 of these rules.

(2) On the receipt of an application, made under sub-rule (1) the State Public Information Officer shall give a receipt in token thereof to the applicant in Form 'B'.

(3) Each public authority shall maintain the information register in Form 'C' in respect of the records of requests received from the applicants for seeking information under the Act

(4) The application, received without requisite fee, shall not be entertained and shall be liable to be rejected straightway without giving any notice to the applicant.

4. Fee. [Section 6].— (1) The fee may be paid in the following modes, namely:—

- (a) by Crossed Bank Draft/Banker's Cheque/IPO or in cash in favour of concerned Drawing and Disbursing Officer from where the information is to be obtained; or
- (b) in cash with the concerned Drawing and Disbursing Officer; or
- (c) through Treasury Chalan in the following Heads of Account —

Major Head	..	0070-Other Administrative Services.
Sub-Major Head	..	60-Other Services.
Minor Head	..	800-Other Receipts.
Sub-Head	..	86-Fee under the Right to Information Act, 2005.
De'tailed Head	..	0070-Other Administrative Services 60-Other Services-800-Other Receipts-86-Fees under the Right to Information Act, 2005.

(2) The amount of fee shall be credited to the account as referred to in clause (c) of sub-rule (1):

Provided that the Board, Corporations and other Autonomous bodies of the State, may get the amount of requisite fee deposited in their own accounts maintained by them.

(3) On receipt of an application, submitted under sub-rule (1) of rule 3, the State Public Information Officer shall scrutinize the application and shall assess how much fee is required to be paid by the applicant for obtaining the information.

(4) The fee, assessed under sub-rule (3), shall be informed to the applicant by the State Public Information Officer in Form 'D' within a period of ten days from the receipt of application.

(5) The intimation of rejection of an application of the applicant seeking information under the Act, shall be intimated by the State Public Information Officer concerned, in Form 'E'.

(6) The amount of fee collected under this rule, shall be maintained in the cash register as specified in Form 'F'.

5. Quantum of fee. [Sections 6 and 7].— (1) An application for obtaining any information under sub-section (1) of section 6 shall be accompanied by a fee of rupees ten only.

(2) The following fee shall be charged for providing information under sub-section (1) of section 7, namely:—

- (a) rupees two for each page (in A-4 or A-3 size paper) created or copied;
- (b) actual charge or cost price of a copy in larger size paper;
- (c) actual cost or price for samples or models;
- (d) for inspection of records, no fee for the first hour; and a fee of rupees five for each fifteen minutes (or fraction thereof) thereafter;
- (e) for information provided in diskette or floppy rupees fifty per diskette or floppy; and
- (f) for information provided in printed form at the price fixed for such publication or rupees two per page of photocopy for extracts from the publication.

(3) The applicant shall, while depositing fee under sub-rule (2) of rule 4, shall also submit a self addressed envelope duly stamped for supplying the information. Stamps on the envelope shall be affixed according the mode of supplying the information, as desired by the applicant i.e. through ordinary, registered or speed post.

6. Procedure to be followed in deciding appeal. [Section 19(10)].— Before deciding an appeal, the Commission shall:—

- (a) serve notice to the concerned persons;
- (b) entertain any evidence in support of appeal, which may be oral or in writing from the concerned persons;
- (c) examine on oath or by having affidavits from the persons concerned;
- (d) peruse or inspect the documents or any records or copies thereof;
- (e) inquire through the authorized officer, the facts of an appeal or may require facts in detail, if it so deems appropriate, hear the State Public Information Officer or officer senior in rank to State Public Information Officer, who had decided the first appeal, or any other officer or person authorized in this behalf; and
- (f) receive evidence on affidavits from the officer senior in rank to State Public Information Officer, who had decided the first appeal or any other officer or person authorized in this behalf from whom the evidence may be deemed necessary.

7. Mode of serving notice. [Section 19(10)].—The Commission may serve notice to the persons concerned in any of the following modes, namely:—

- (a) by hand delivery (dasti) through process server; or
- (b) by registered post with acknowledgement due; or
- (c) by publication in the news paper.

8. Order by the Commission. [Section 19(10)].— (1) The Commission shall make

every order in writing and pronounce the same on merits by following the due procedure.

(2) After the decision is pronounced by the Commission, it shall intimate the same to the complainant and the State Public Information Officer of the Department or the public authority concerned.

9. Repeal and Saving.— The Punjab Right to Information Rules, 2006, are hereby repealed:

Provided that any order made or action taken under the rules so repealed shall be deemed to have been made or taken under the corresponding provisions of these rules.

Name of the Department or Public Authority

FORM 'A'

[See rule 3(1)]

APPLICATION FOR INFORMATION UNDER SECTION 6(1) OF THE ACT

To

The State Public Information Officer,
Department _____

1.	Full name of the applicant	
2.	Father's/Spouse's name	
3.	Permanent address	
4.	Correspondence address	
5.	Particulars of information solicited	
	(a) Subject-matter of information	
	(b) The period to which the information relates	
	(c) Specific details of information required	
	(d) Whether information is required by post or in person (The actual postal charges shall be included in providing information)	
	(e) In case by post, then indicate whether by ordinary, registered or speed	
6.	Is this information not made available by the Public Authority under voluntary disclosure	
7.	Do you agree to pay the required fee?	
8.	Have you deposited application fee? (If yes, details of such deposit)	
9.	Whether belongs to Below Poverty Line category? if yes, have you furnished the proof of the same with the application?	

Place:

Date:

Full Signatures of the Applicant and Address

Name of Department or Public Authority

FORM 'B'

[See rule 3(2)]

Acknowledgement

Office of the State Public Information Officer

Received the application from

Mr./Ms.....

Address.....

Seeking information on (Subject to be specified).....

Vide Diary No..... Dated.....

Place:

Date:

Full Name of State Public Information Officer/
State Assistant Public Information Officer.

Designation and Seal

Name of Department of Public Authority

FORM 'D'

[See rule 4(4)]

INFORMATION OF FEE ASSESSED FOR MAKING PAYMENT

From

.....(Name and Designation of the State Public Information Officer)

To

.....(Name and address of the Applicant)

Subject:- Supply of information under the Right to Information Act, 2005

Sir,

Please refer to your application dated..... addressed to the undersigned requesting information on (Subject to be specified).....

2. I am to inform you that the following amount towards cost for providing information may be deposited by way of Crossed Demand Draft/Banker's Cheque/IPO/Treasury Challan or in Cash to enable the undersigned to furnish the information sought by you.

3. (a) the Demand Draft/Banker's Cheque/IPO should be drawn in favour of (Particulars of the Drawing and Disbursing Officer to be specified) or the amount may be deposited in cash with said Drawing and Disbursing Officer of this office.

(b) the amount of fee may also be deposited through Treasury Challan in the following Head of Accounts:-

Major Head	..	0070-Other Administrative Services.
Sub-Major Head	..	60-Other Services.
Minor Head	..	800-Other Receipts.
Sub-Head	..	86-Fee under the Right to Information Act, 2005.

4. A self-addressed envelope duly stamped may also be submitted for supplying the requisite information. Stamps on the envelope may be affixed according to the desired mode of supplying the information i.e. through ordinary, registered or speed post.

Fee calculation.....

Total amount to be deposited.....

Dated:

Yours faithfully,

Place:

State Public Information Officer.

Name of the Department or Public Authority

FORM 'E'

[See rule 4(5)]

INTIMATION OF REJECTION

From

.....(Name and Designation of the State Public Information Officer)

To

.....(Name and address of the Applicant)

Subject:- Supply of information under the Right to Information Act, 2005.

Sir,

Please refer to your application dated..... addressed to the undersigned requesting for the supply of information regarding.....

2. The undersigned regrets to express his inability to furnish the information asked for on account of the following reasons, namely:-

- (i) It comes under the exempted category covered under sections 8 and 9 of the Act.
- (ii) Your application was not complete in respect of _____
- (iii) Your identity is not satisfactory.

- (iv) The information is contained in published material available to Public
- (v) You did not pay the required fee with your application for providing information.
- (vi) The information sought for is prohibited as per the provisions of section 24(4) of the Act.
- (vii) The information as sought for by you is available on our Website (Name of the Website to be specified). You may download the information.
- (viii) Any other reason.

3. However, if you feel aggrieved by this refusal, you may file an appeal before the (Specify the particulars of the Appellate Authority) within a period of thirty days of the receipt of this letter.

Dated:

Place:

Name and Designation of

State Public Information Officer

Name of the Department or Public Authority

FORM 'F'

[See rule 4(6)]

CASH REGISTER

Serial No.	Name and Address of the Applicant	Date of Application	Date of deposit of amount	Particulars of fee Cash/ Demand Draft/IPO/ Treasury Challan with date and amount	Refund, if any	Remarks
1	2	3	4	5	6	7

There is no fee for persons listed below poverty lines, which facts shall have to be authenticated by producing the 'BPL Card'
