

GOVERNMENT OF PUNJAB DEPARTMENT OF INFORMATION TECHNOLOGY (Administrative Reforms Branch) NOTIFICATION

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 subsection (2) of the said section, namely:-

RULES

1. Short title and 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:-

(1) In these rules, unless the context otherwise requires-

1. "Act" means the Right to Information Act, 2005(Central Act No.22 of 2005);
2. "Commission" means the Punjab Information Commission, constituted under section 15 of the Act;
3. "Form" means a Form, appended to these rules; and
4. "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 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 alongwith a fee, as 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. Deposit of 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 Challan in the following Heads of Account:-

Major Head	.. 0070	-Other	Administrative	Services
Subj-Major Head	.. 60	-	Other	Services
Minor Head	..	800	-	Other Receipts
Sub-Head	.. 86	-	Fee under the Right to Information Act, 2005	
Detailed 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:- (Section 6 and 7)

1. An application for obtaining any information under sub-section (1) of section 6 shall be accompanied with 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; and
 - 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 to 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 any other senior officer, who had decided the first appeal, as the case may be; and
- f. receive evidence on affidavits from the officer senior in rank to State Information Officer who had decided the first appeal or from 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 acknowledgment due; or
- c. by publication in the news paper;.

8. Order by the Commission:-Section 19 (10))

1. The Commission shall make order in writing and pronounce the same in the presence of the concerned parties
2. After the decision is pronounced by the Commission, it shall intimate the same to the complainant and the State 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