

GOVERNMENT OF PUNJAB

DEPARTMENT OF INFORMATION TECHNOLOGY
(ADMINISTRATIVE REFORMS)

Notification

The 12th October, 2005

No. G.S.R. 28/C.A. 22/2005/S. 27/2005- In exercise of the powers conferred by sub-section (1) 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:-

CONTENTS

1. Short title and commencement
2. Definitions
3. Application for obtaining information
4. Deposit fee
5. Quantum of fee
6. Procedure to be followed in deciding appeal
7. Mode of serving notice

RULES

1.Short title and commencement

- (1) These rules may be called the Punjab Right to Information Rules, 2005.
- (2) They shall come into force on and with effect from the 12th day of October, 2005.

2. Definitions

- (i) 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 Information Commission Constituted under section 15 of the Act;
 - (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 meaning as assigned to them in the Act.

(3) Application for obtaining information

(1) A person, who section 2(m)6 and 27 desires to obtain any information admissible under the Act, shall make an application in Form 'A' to the State Public Information Officer along with a fee, as specified in 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.

Section 6

4. Deposit of fee

(1) The fee may deposited either in cash or by draft or cheque or treasury challan.

(2) The amount of fee shall be credited to the account of the concerned public authority.

(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 'B' within a period of seven days from the receipt of application.

(5) In case the applicant falls to deposit the requisite for within a period of fifteen days after the issuance of the intimation given to him under sub-rule (4), it shall construed that the application is no longer interested in obtaining the information, sought for, and his application shall be deemed to have been filed.

Section 6 and 7

5. Quantum of fee

(1) An application for obtaining any information under sub-section (1) of section 6 shall be accompanied with a fee of rupees fifty.

(2) For providing an information under sub-section (1) of section 7, the fee shall be charged from the applicant at the following rates, namely :-

(a) Rs. 10 for each page. In A-4 or A-3 size paper, created or copied; and

(b) If information is to be provided on a large size of paper than that of specified in clause (a), the actual cost price of such a paper shall be charged.

(3) For providing an information under sub-section (5) of section 7, the fee shall be charged from the applicant at the following rates, namely :-

(a) Rs. 50 for providing information in floppy ;

(b) Rs. 100 for providing information in diskette ; and

(c) If information sought is of such a nature, which is contained in a printed document of which a price has been fixed. Then that information will be provided after charging the price, fixed for that printed document. However, if only an extract or page of such a printed document is asked for then a fee of Rs 10 per page shall be charged from the applicant

(4) No fee for inspection of record shall be charged, if such an inspection is made for one hour only. However, if inspection is made for a period of more than one hour, then a fee of rupees ten shall be charged for every fifteen minutes in excess of first hour. Every fraction of the period above fifteen minutes shall be construed as a complete period of fifteen minutes and it shall be charged as full period of fifteen minutes.

6. Procedure to be followed in deciding appeal

Before deciding an Section19 (10) 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 otherwise senior officer, who had decided the first appeal, as the case may be ; and
- (f) Receive evidence on affidavits from the State Public Information Officer or any senior officer, who had decided the first appeal or from any other person from whom the evidence may be deemed necessary.

7. Mode of serving notice

The Commission may serve notice to the section 19(10) person 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

(1) The Commission shall make order in section writing and pronounce the same in the presence of the concerned parties.

(2) The party concerned may, obtain the copy of the order from the commission