



Sh. Manjit Singh, (9914200995)

S/o Sh. Santa Singh,
House No 10330, Narang Colony, Street No 3,
Near GurmukhDholi, Sri Muktsar Sahib-152026

.....Appellant/Complainant

Versus

Public Information Officer

.....Respondent
O/o XEN, Provincial Division (B&R),
Bathinda.

First Appellate Authority

O/o Superintending Engineer, PWD (B&R),
Construction Circle, Bathinda.

Appeal Case No.1397 of 2021
(Cisco Webex Proceedings)

RTI application filed on	:	12-11-2020
PIO replied on	:	03-12-2020
First appeal filed on	:	26-12-2020
First Appellate Authority order	:	31-12-2020

Present: Appellant: Sh. Manjit Singh

Respondent: Sh. Vishal Garg (SDO), 8288534388

ORDER:-

1. The Appellant/Complainant filed above mentioned appeal/complaint cases in the Commission dated 16.03.2021. Accordingly, the cases are fixed for today.
2. Appellant, Sh. Manjit Singh stated that no information has been provided by the respondent authority so far.
3. The respondent, Sh. Vishal Garg replied on this, that the appellant Sh. Manjit Singh was asked to pay additional fee towards copying charges. Further he stated, "Please refer to your (applicant) RTI application dated 12.11.2020, received in the office. In this context, it was requested to deposit Rs2,000/- towards the necessary fee for Xeroxing the documents [@Rs2 per copy] through letter dated 03.12.2020 in accordance with the provision of Right to Information (Regulation of fee and costs) Rules, 2005 at the earliest so that the desired documents may be provided to you under RTI Act, 2005."
4. **Post Deliberation:** Commission observed that, "Since the letter for additional fees was received in the mandated period of 30 days, the information should be provided on the payment of liable fee as per the provision of Section 7(1) & 7(3) of the Right to Information (RTI) Act."

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Section 7(1) & 7(3) of the RTI Act are relevant and are given below...

"7. (1) Subject to the proviso to sub-section (2) of section 5 or the proviso to sub-section (3) of section 6, the Central Public Information Officer or State Public Information Officer, as the case may be, on receipt of a request under section 6 shall, as expeditiously as possible, and in any case within thirty days of the receipt of the request, either provide the information on payment of such fee as may be prescribed or reject the request for any of the reasons specified in sections 8 and 9:

(3) Where a decision is taken to provide the information on payment of any further fee representing the cost of providing the information, Central Public Information Officer or State Public Information Officer, as the case may be, shall send an intimation to the person making the request, giving-

(a) the details of further fees representing the cost of providing the information as determined by him, together with the calculations made to arrive at the amount in accordance with fee prescribed under sub-section (1), requesting him to deposit that fees, and the period intervening between the despatch of the said intimation and payment of fees shall be excluded for the purpose of calculating the period of thirty days referred to in that sub-section;"

DECISION:

Keeping in view the facts of the case and the submissions made by both the parties the Commission finds that timely communication was made by the respondent PIO regarding the payment of additional fee. Hence, the Commission found no reason to disagree with the replies of the respondents. The replies of respondents upheld.

The matter is disposed of accordingly at Commission's end.

Chandigarh
Dated: 28.07.2021

Sd/-
(Maninder Singh Patti)
State Information Commissioner, Pb.



Sh. Gurwinderpal Singh, (9888460746)

House No 101, Bajwa Colony, Patiala.

.....Appellant/Complainant

Versus

Public Information Officer

.....Respondent

O/o Nagar Council, BassiPathana,

District Fatehgarh Sahib.

First Appellate Authority

O/o Deputy Director, Local Govt,

Ludhiana.

Appeal Case No.1417 of 2021

(Cisco Webex Proceedings)

RTI application filed on	:	27-11-2020
PIO replied on	:	-
First appeal filed on	:	05-01-2021
First Appellate Authority order	:	-

Present: Appellant: Sh. Gurwinderpal Singh

Respondent: Sh. Manjit Singh (Excise Officer), 9814800566

ORDER:-

1. The Appellant/Complainant filed above mentioned appeal/complaint cases in the Commission dated 17.03.2021. Accordingly, the cases are fixed for today.
2. Appellant, Sh. Gurwinderpal Singh got disconnected from meeting due to some technical issue from his side.
3. Respondent, Sh. Manjit Singh stated that information sought by the appellant is third party information. A letter dated 20.07.2021 vide diary no. 15912 is received in the commission from the respondent authority in this regard wherein the aforesaid statement is mentioned in detail.
4. Keeping in view the facts of the case the commission transpires that "In the present case, there is no tangible public purpose which has been cited by the appellant that would convince the Commission to override the guaranteed exemption under Section 8 to the individual". A mere suspicion cannot constitute the basis for a public interest. The matter is **disposed of** accordingly at Commission's end.

Chandigarh
Dated: 28.07.2021

Sd/-
(Maninder Singh Patti)
State Information Commissioner, Pb.