

കേരള സർക്കാർ പുറപ്പെടുവിച്ച Kerala Right to Information (Regulation of Fee and Cost Rules-2006) എന്ന ചട്ടത്തിൽ അപേക്ഷാഫീസായി പോസ്റ്റൽ ഓർഡർ സ്വീകരിക്കാം എന്നു നിഷ്കർഷിച്ചിട്ടില്ലാത്തതിനാൽ കേരള സർക്കാർ സ്ഥാപനങ്ങളിൽ വിവരാവകാശ അപേക്ഷാ ഫീസായി പോസ്റ്റൽ ഓർഡർ സ്വീകരിക്കാനാകില്ല.

5. The Commission observed that the RTI application submitted by the petitioner was accompanied by a Postal Order for Rs.10/- towards fee. The Government of Kerala have issued Kerala Right to Information (Regulation of Fee and Cost Rules-2006) Rule 3 of the said rule provides for the procedure for seeking information. It stipulates that the application shall be accompanied by an application fee of Rs.10/-. Rule (3) (2) stipulates the mode of remittance of fee. It reads as follows:

The application fee shall be paid in any of the following manner

- a. By affixing court fee stamp; or
- b. By remitting in Government Treasury, under the head of account "0070 other administrative services-60 other services-800 other receipts-42 other items" or
- c. By Cash remittance against proper receipt in the office of the State Public Information Officer/State Assistant Public Information Officer, as the case may be; or
- d. Demand Draft/Bankers Cheque/Pay Order payable to the State Public Information Officer/State Assistant Public Information Officer.

Section 6(1) of the RTI Act also provides that the application should be accompanied by such fee as may be prescribed. Section-2 (g) of the RTI Act defines the word "prescribed". "Prescribed" means prescribed by rules made under this Act by the appropriate Government or the competent authority. Therefore it is observed that the application fee remitted in the form of Postal Order is not the prescribed mode of remittance of fee under the Kerala Right to Information (Regulation of Fee and Cost Rules-2006). Under such circumstances the SPIO can ask the requester to remit the fee in the prescribed mode of remittance. Here in this case the SPIO accepted the application and provided the information ignoring the defects. He acted diligently.

As the Commission observe that the information has been provided, no further intervention is required in this case.

The complaint petition is disposed off, accordingly.

Dated this, the 15th day of November, 2010.