

- For providing the information under sub section (3) of section 7, the fee shall be charged by way of cash against proper receipt or by non-judicial stamp paper or treasury challan or demand draft or bankers cheque or Indian Postal Order payable to the Public Information Officer of the Public Authority at the following rates:-

- Rupees two for each page (in A4 or A3 size paper) created or copied; and actual charges or cost price of a copy in larger size paper;
- For inspection of records, no fee for the first hour; and a fee of rupees five for each subsequent hour (or fraction thereof)
- Actual cost or price for samples or models.
- But no fee shall be charged from the person of below poverty line.

For providing the information under sub-section (5) of section 7, the fee shall be charged by way of cash against proper receipt or by non judicial stamp paper or treasury challan or demand draft or bankers cheque or Indian Postal Order payable to the Public Information Officer of the Public Authority at the following rates:-

- For information provided in C.D./D.V.D. rupees twenty per C.D./D.V.D; and
- 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.

PUBLIC AUTHORITY

PUBLIC AUTHORITY: MEANING AND SCOPE

- The Right to Information Act, 2005 empowers the citizens to access information under the control of public authorities.
- Thus what constitutes a public authority under this Act becomes extremely important.
- Though the Act defines public authorities, this definition has been a contentious issue ever since the RTI Act came into force.
- The answer to the question “who is a public authority?” sets the boundaries of the scope of the RTI Act and the transparency regime in the country.

- Section 3 of the Right to Information Act confers a right on every citizen to seek information from the government or public authorities within India.
- Thus a citizen of India of any age, gender, religion, place, caste or creed may seek information held either by the public authority or under the control of the public authority.
- It implies that a company, corporation, co-operative society or incorporated body does not come under the purview of Section 3.

- The expression “public authority” has been defined by Halsbury’s Law Dictionary as a person or administrative body entrusted with the functions to perform for the benefit of the public and not for private profit.
- It has been explained by the Supreme Court of India as a body which has public or statutory duties to perform and which performs the duties and carries out its transactions for the benefit of public. Such an authority may make a profit for the public benefit (Sukhdev Singh v. Bhagatram Sardar Singh Raghuvanshi, AIR 1975 SC 133).

Section 2(h) of the Right to Information Act defines the expression “public authority”. It means any authority or body or institution of self-government that is established or constituted:

- a) by or under the Constitution;
- b) by any other law made by the Parliament;
- c) by any other law made by the State Legislature;
- d) by notification issued or order made by the appropriate government.

It includes any:

- i. Body owned, controlled or substantially financed

- i. Non-Government organisation substantially financed, directly or indirectly by the funds provided by the appropriate government

Thus the right to information is available only against public authority and not an individual.

Further the government machinery from which the information is sought must be a body or authority or institution of self-government and should be substantially financed by the government.