



**STATE INFORMATION COMMISSION, KERALA  
PUNNEN ROAD, THIRUVANANTHAPURAM 695 039**

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**Proceedings of the State Information Commission, Kerala in Appeal  
petition No. AP 276/2007/SIC  
No.2742/SIC-Gen2/2007**

Shri. Elias John  
Director,  
NTV, Convent Road,  
Thiruvananthapuram - 695 001.

Appellant

Vs

1. The Public Information Officer,  
Directorate of Industries & Commerce,  
Thiruvananthapuram.
2. The Director & Appellate Authority,  
Directorate of Industries & Commerce,  
Thiruvananthapuram.

Respondents

**ORDER**

The appellant Sri. Elias John has filed this appeal under section 19 (3) of the Right to Information Act 2005, against the decision of the 2nd respondent in the first appeal filed under section 19 (1) of the RTI Act.

2. The gist of the case is as follows:

The appellant had made an application under the RTI Act 2005, before the first respondent, asking for certain information from the Directorate of Industries & Commerce. The first respondent vide letter dated 27.3.07 demanded Rs.116/- (Rs.2/- per page) and Rs.39/- (postal charges) from the appellant for providing the information. The appellant made an appeal to the 2nd respondent stating that he

hasn't asked for copies of any documents, but only information and hence, he was not liable to pay any fee for the information. The 2nd respondent disposed of the first appeal informing the appellant that the details are collected from District Industries Centres and the fee demanded was the charges for forwarding the information to the appellant. The appellant has filed this 2nd appeal complaining that the decision of the 2nd respondent is in violation of the provisions of the RTI Act.

3. A copy of the appeal petition was forwarded to the 2nd respondent for submitting a detailed report to the Commission. Accordingly, the 2nd respondent has filed a detailed report dated 26.6.07, before the Commission.

4. The Commission had a detailed and meticulous examination of the appeal petition, report of the 2nd respondent and also the disposals of the request and the first appeal made under the RTI Act. The Commission made the following observations:

As per section 7 (1) of the RTI Act 2005, the information shall be provided on payment of the fee prescribed by the appropriate authority. The Govt. of Kerala have framed the Kerala RTI (Regulation of fee & cost) Rules 2006. Rule 4 of the above rules provides for 'fee for providing information'. The fee for providing information in A4 size paper, as provided in Rule 4 (1) (a) is Rs.2/- for each page. For an information provided in an A4 size paper, whether it is a photocopy or not, the requester is bound to remit a fee of Rs.2/- per page. Also, section 7(3) (a) of the RTI Act provides for demanding further fee representing the cost of providing the information. The Commission has already taken a decision that postal charges form part of the cost of providing the information.

In the light of the above observation, the Commission decide that the action of the first respondent in demanding the fee of Rs.116/- for 58 pages of information and Rs.39/- towards postal charges is lawful under the provisions of

the RTI Act 2005. The appellant is bound to bear the cost of providing the information and therefore, shall remit the fee demanded.

The appeal dismissed.

Dated this, the 1st day of August 2007.