

Annexure VIII

**GOVERNMENT OF TAMIL NADU
ABSTRACT**

The Right to Information Act, 2005 (Central Act 22 of 2005) – Exemptions from payment of fee by persons below poverty line – Definition of persons below poverty line – Orders – Issued.

PUBLIC (ESTT.I & LEG.) DEPARTMENT

G.O.Ms.No.1138

Dated : 14.11.2005

Read:

G.O.Ms.No.989, Public (Estt.I & Leg.) Dept.,
dated 7.10.2005.

ORDER:

The Right to Information Act, 2005 (Central Act 22 of 2005) has come into force with effect from 12.10.2005. In the Government Order read above, the Government have framed the Tamil Nadu Right to Information (Fees) Rules, 2005.

2. As per the proviso to sub-section (5) of section 7 of the Right to Information Act, 2005, the fee prescribed under sub-section (1) of section 6 and sub-sections (1) and (5) of section 7 shall be reasonable and no such fee shall be charged from the persons who are of below poverty line as may be determined by the appropriate Government.

3. In view of the above provision, persons below poverty line have to be defined properly. There is a categorization of below poverty line families in rural / urban areas for availing assistance from local bodies. In every village panchayat, list of families below poverty line is approved in Gram Sabha every year. Similarly, in urban local bodies also, a list of below poverty line families is maintained.

4. The Government have examined the issue of defining the persons below poverty line to avail the concession provided in the proviso to sub-section (5) of section 7 of the Right to Information Act, 2005 (Central Act 22 of 2005). The Government direct that the classification of below poverty line persons as approved by the Gram Panchayat and local bodies be taken as the basis to identify the persons below poverty line for the purpose of

exempting them from the payment of fee under the proviso to sub-section (5) of section 7 of the Right to Information Act, 2005 (Central Act 22 of 2005) while seeking information under the Right to Information Act, 2005. An extract duly certified will be sufficient to avail this concession.

5. This order issues with the concurrence of Finance Department – Vide its U.O.No.3667/FS/P/05, dated 27.10.2005.

(BY ORDER OF THE GOVERNOR)

PAVAN RAINA,
SECRETARY TO GOVERNMENT (i/c).

To
The Chief State Information Commissioner,
Tamil Nadu Information Commission, Chennai.
The State Information Commissioners,
Tamil Nadu Information Commission, Chennai.
All Departments of Secretariat.
All Collectors.
The Director General of Police, Chennai.
The Secretary to Government of India, Ministry of Personnel,
Public Grievances and Pensions, New Delhi.
The Secretary to Government of India,
Ministry of Home Affairs, New Delhi.
The Secretary to Governor.
The Secretary to Hon'ble Chief Minister.
All Senior Personal Assistants to Ministers.

// Forwarded / By Order //

SECTION OFFICER.