

Government of India  
Ministry of Road Transport & Highways  
(RTI Section)

NO. I-34014/234/2013-RTI

Dated the 2<sup>nd</sup> August, 2013

**OFFICE MEMORANDUM**

**Subject: Mode of payment of fee for seeking information under RTI Act, 2005  
from M/o Road Transport and Highways – clarification regarding**

The undersigned has been directed to say that the Central Information Commission vide its order dt. 10.07.2013 (Case NO. CIC/SS/C/2012/000799) in the 2<sup>nd</sup> appeal filed by Shri Subhash Chandra Agrawal has directed this Ministry to clarify the issue regarding payment of fee by IPOs/DDs/Bankers' cheque and the authority in whose favour these instruments of payment should be drawn. The operative portion of CIC order dated 10.7.13 is as follows:-

"7. The relevant rule with regard to the mode of payment of fees as per modification dated 31.7.12 issued by Central Government as per Section 27 of the RTI Act is being reproduced as under:-

6. Mode of Payment of Fee- Under these, rules may be paid in any of the following manner, namely:-

- a) in cash.....
- b) by demand draft or bankers' cheque or Indian Postal Order payable to the Accounts Officer of the Public Authority; or
- c) by electronic means.....

**Decision:**

The mode of payment as per the said rule is very clear, however, due to different account officer/accounts etc. issue of non-acceptance has arisen. The Commission observes that such issue/s of non-acceptance can lead to delay in furnishing a reply to the applicant and that uniformity in this regard would further ease the process under RTI Act for the applicant/s. The Commission is of the view that steps shall be taken by the respondent public authority to clarify this issue for avoiding delay on account of non-acceptance of postal-order/s."

2. The matter has been considered in consultation with the Office of the Principal Chief Controller of Accounts, M/o Road Transport & Highways. Keeping in view the orders issued vide DoPT's OM NO. F.N/9/2008-IR dt. 5.12.2008 read with the above orders of the CIC and also the advice of the Office of the Principal CCA, it is clarified as follows:-

- i) As per note 2 below rule 18 of Central Govt. Account Receipts and Payments Rules, such instruments being accepted by departmental officer not having cheque drawing powers, should be drawn in favour (indicating official

designation) of the concerned Pay and Accounts Officers. However, when cheques or bank drafts are received in the name of departmental officers under any Act or rule or otherwise, these may be endorsed by them for payment to their respective Pay and Accounts Officers.

- ii) In the light of the above, such demand drafts/bankers' cheques /IPOs for the payment of fee for seeking information under the Right to Information Act can be drawn by the information seekers in favour of Pay and Accounts Officer(Sectt), Ministry of Road Transport & Highways or Accounts Officer, Ministry of Road Transport & Highways.


  
(V.Krishnaswamy)

Deputy Secretary to the Govt. of India

1. All CPIOs / Appellate Authorities, M/o RT&H
2. NIC for uploading it on the website of M/o RT&H

Copy to:

- (i) Director (RTI), D/o Personnel & Training, North Block, New Delhi-1 – along with a copy of CIC's order and advice of Office of Principal CCA, Ministry of Road Transport & Highways with a request to consider issuing a general circular to bring about uniformity in procedure across all Ministries / Departments of the Government of India.
- (ii) Shri D.C.Singh, Deputy Registrar, Central Information Commission, 2<sup>nd</sup> Floor, August Kranti Bhawan, Room No. 301, Bhikaji Cama Place, New Delhi-110066 (Fax 011-26106218)
- (iii) Shri Subhash Chandra Agrawal, 1775, Kucha Lattushah Dariba, Chandni Chowk, Delhi-110006.

  
(V.Krishnaswamy)

Deputy Secretary to the Govt. of India