

MANIPUR INFORMATION COMMISSION

SECRETARIAT NORTH BLOCK GROUND FLOOR,
BEHIND WESTERN BLOCK,
IMPHAL, MANIPUR
PHONE No: 0385-2456495



Complaint Case No. 15 of 2025

A. Roshan Singh

– Complainant

-vs-

The SPIO/ BDO, Wangoi (I/W), Manipur.

- Respondents

JUDGEMENT

Dated: 16.2.2026

Parties Present

Shri E. Bhorot Singh, SPIO & Panchayat Secretary, Samusang Bitra Urokhong Gram Panchayat, Imphal West-II C.D. Block — present in person.

Shri Surjit Sukham, Junior BDO — present in person.

The Complainant, Shri Asem Roshan Singh — present through video conference.

Background and Procedural History

The present complaint arises out of an RTI application dated 01.08.2025 filed by the Complainant seeking information relating to MGNREGA works executed under the Samusang Bitra Urokhong Gram Panchayat, Imphal West-II C.D. Block. The Complainant claimed exemption from payment of fees under Section 7(5) of the RTI Act, 2005, relying upon a certificate dated 01.07.2025 issued by the District Supply Officer (DSO), certifying that the Priority Household (PHH) ration card is equivalent to the Below Poverty Line (BPL) category.

The SPIO, however, denied the fee exemption and raised a demand of ₹8058, relying upon a subsequent administrative clarification dated 29.08.2025, stating that PHH ration cards are not equivalent to BPL. The Complainant further alleged procedural impropriety, intimidation, back-dating of correspondence, and unfounded accusations of forgery.

The matter was heard on 16.10.2025, 11.11.2025, 02.12.2025, and 29.12.2025. During the course of hearings, the Commission repeatedly sought clarification from the Commissioner, Consumer Affairs, Food & Public Distribution (CAF & PD), Government of Manipur, on the legal status of BPL, AAY, and PHH categories after the enforcement of the National Food Security Act, 2013 (NFSA), particularly in relation to fee exemption under the RTI Act.

Core Issues for Determination

Whether the present complaint is maintainable under Section 18 of the RTI Act, 2005.

Whether PHH/AAY beneficiaries are entitled to fee exemption under Section 7(5) of the RTI Act.

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Whether the demand of additional fees raised by the SPIO is legally sustainable.

The effect of contradictory administrative communications on the statutory rights of the Complainant.

Observations and Findings of the Commission

Upon careful consideration of the pleadings, records, and submissions, the Commission is satisfied that the present complaint under Section 18 of the RTI Act, 2005 is maintainable. The allegations pertain to denial of statutory fee exemption, unreasonable monetary demand, procedural impropriety, and alleged intimidation, all of which squarely fall within the independent jurisdiction of the Commission, notwithstanding the pendency of any appeal proceedings.

Historical and Statutory Background of BPL Classification

The concept of the Below Poverty Line (BPL) card in India emerged as part of the Government's broader poverty alleviation and food security framework. Initially, the Public Distribution System (PDS) operated as a universal scheme extending subsidized food grains to the general population. However, in June 1997, the Government of India introduced the Targeted Public Distribution System (TPDS), under which households were classified into BPL and APL categories based on socio-economic criteria determined by State Governments.

BPL identification was undertaken through periodic socio-economic surveys in accordance with Planning Commission guidelines. The process adopted a multi-dimensional approach, considering income, occupation, housing condition, asset ownership, access to basic amenities, and vulnerability. Over time, identification methodology was refined through exercises such as the Socio-Economic Caste Census (SECC) 2011 to enhance transparency and objectivity.

The legal regime was subsequently strengthened through the enactment of the National Food Security Act, 2013 (NFSA), which restructured the earlier BPL/APL framework and introduced statutory categories such as Priority Households (PHH) and Antyodaya Anna Yojana (AAY). While the nomenclature changed, the essential objective of identifying economically vulnerable households remained intact.

The Commission observes that the transition from BPL to PHH/AAY represents statutory restructuring and not abolition of poverty identification. The socio-economic character of beneficiaries continues to flow from the same foundational framework — the mother source of BPL classification.

Importantly, statutory concessions linked to socio-economic vulnerability, including fee exemption under Section 7(5) of the RTI Act, must be interpreted purposively. The RTI Act is a beneficial and citizen-centric legislation intended to facilitate access to information, especially for economically weaker sections. In the absence of express statutory exclusion, PHH beneficiaries cannot be denied exemption merely because of change in nomenclature.

With the enactment of the National Food Security Act, 2013, the earlier APL/BPL framework was replaced by two statutory categories, namely Antyodaya Anna Yojana (AAY) and Priority Household (PHH). The NFSA introduced a rights-based framework for food and nutritional security and did not abolish poverty



identification but restructured its mechanism. While the NFSA governs food security entitlements, it does not expressly prohibit recognition of PHH beneficiaries for other statutory purposes, including exemptions under the RTI Act.

In the present case, the Complainant relied upon a valid certificate dated 01.07.2025 issued by the competent authority certifying PHH as equivalent to BPL. The subsequent clarification dated 29.08.2025 neither revoked nor invalidated the earlier certificate and cannot operate retrospectively to defeat a statutory benefit already accrued. Contradictory administrative communications issued post facto undermine legal certainty and adversely affect citizens' rights.

The Commission also notes with concern that allegations of forgery and misrepresentation were raised without any determination by a competent authority. Such allegations, when made without due process, are deprecated, as they have the potential to chill the exercise of statutory rights guaranteed under the RTI Act.

During the hearing held on 29.12.2025, the Commission examined the report dated 26.12.2025 submitted by the Deputy Secretary, CAF & PD, which clarifies that following the enforcement of the NFSA, the erstwhile BPL regime has been replaced by the AAY and PHH categories, which now constitute the operative statutory mechanism for identification of economically weaker households in Manipur.

The Commission holds that the absence of a formal BPL ration card regime under the NFSA does not extinguish or dilute the statutory benefit conferred under Section 7(5) of the RTI Act, 2005. The RTI Act is a citizen-centric transparency statute and cannot be curtailed by administrative restructuring unless expressly authorised by law. PHH beneficiaries, duly identified and certified by competent authorities, represent the contemporary statutory successors of the erstwhile BPL category for purposes of socio-economic recognition and statutory concessions.

Any demand for fees raised subsequent to the submission of a valid certificate is therefore legally untenable. Allegations of intimidation or misrepresentation must be addressed strictly in accordance with due process and cannot be invoked to impede access to information.

The Commission further notes the submission of the SPIO that there was no threat or intimidation to the Complainant and that the fee demand was raised bona fide in accordance with the RTI Act and Rules. While no conclusive finding on mala fides is recorded, the Commission emphasises that greater care and clarity are required when statutory rights and exemptions are involved.

Conclusion

In view of the foregoing discussion, findings, and statutory position, the Commission holds that Priority Household (PHH) beneficiaries holding valid certification issued by the competent authority are entitled to exemption from payment of fees under Section 7(5) of the RTI Act, 2005, as PHH constitutes the contemporary statutory successor to the erstwhile BPL category following the enforcement of the National Food Security Act, 2013. Any demand for fees raised contrary to such valid certification is legally unsustainable and cannot be justified by subsequent administrative clarifications having no retrospective effect. The Commission further observes that public authorities are required to act fairly, reasonably, and with due diligence while processing RTI applications, ensuring that procedural or administrative ambiguities do



not frustrate the statutory right to information. Any future deviation from this position must be supported by clear statutory authority, reasoned administrative orders, and strict adherence to due process. **Accordingly, the complaint is disposed of with the above observations and directions, which shall form part of the permanent record of the Commission and serve as guidance for the future administration of RTI matters involving PHH/AAY/BPL categories.**

In view of the statutory position and findings recorded herein, the Commission concludes that PHH beneficiaries under the National Food Security Act, 2013 are the contemporary statutory successors to the erstwhile BPL category. The NFSA does not expressly or impliedly override or curtail the benefit granted under Section 7(5) of the RTI Act, 2005. The change in classification from BPL to PHH constitutes administrative and statutory restructuring and does not extinguish the socio-economic recognition forming the basis of statutory concessions.

However, upon careful evaluation of the facts and circumstances, the Commission is not satisfied that the SPIO acted with deliberate mala fide intent or wilful obstruction. The fee demand appears to have been raised based on contemporaneous administrative clarification and interpretational uncertainty regarding the post-NFSA framework. The matter involved statutory interpretation rather than intentional denial of information.

Accordingly, while the fee demand is set aside, the Commission shall not initiate penalty proceedings under Section 20 of the RTI Act, 2005 against the SPIO as case had arisen from administrative ambiguity rather than deliberate misconduct.



Sd/-
(K. Radhashyam Singh)
State Chief Information Commissioner
Manipur Information Commission.

Authenticated by: -


(Lisham Premananda Singh)
Deputy Registrar (Judl. – II)
Manipur Information Commission

Copy to: -

1. The Addl. C.S./Pr. Secy./Commissioner/Secretary (CAF & PD), Govt. of Manipur.
2. The SPIO/ Panchayat Secretary/ Samusang Bitra Urokhong Gram Panchayat, Wangoi CD Block.
3. ✓ Shri Asem Roshan Singh,
Mayang Imphal Thana Leikai
BPL Ration Card No: 141000367044, Contact No.: 7085523152

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