

CWP-3801-2016&
Connected petitions.

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-3801-2016

Date of Decision : 01.12.2025

KISHORE LUTHRA

.....Petitioner

VERSUS

STATE INFORMATION COMMISSION & ORS.

....Respondents

CWP-5319-2016

KISHORE LUTHRA

.....Petitioner

VERSUS

STATE INFORMATION COMMISSION & ORS.

....Respondents

CWP-5380-2016

KISHORE LUTHRA

.....Petitioner

VERSUS

STATE INFORMATION COMMISSION & ORS.

....Respondents

CWP-5431-2016

KISHORE LUTHRA

.....Petitioner

VERSUS

STATE INFORMATION COMMISSION & ORS.

....Respondents

CWP-5438-2016

KISHORE LUTHRA

.....Petitioner

VERSUS



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Connected petitions.**

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STATE INFORMATION COMMISSION & ORS.

....Respondents

CWP-5320-2016

KISHORE LUTHRA

.....Petitioner

VERSUS

STATE INFORMATION COMMISSION & ORS.

....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Puneet Sharma, Advocate
for the petitioner.

Mr. Sahil R. Bakshi, AAG, Punjab
for respondent no.1

None for respondent no.2

Mr. Kuldeep Chaudhary, Advocate and
Mr. Tribhuwan Singla, Advocate
for respondent no.3.

Mr. Piyush Khanna, Advocate,
for respondent no.4 in all cases.

KULDEEP TIWARI, J.(Oral)

1. With the consent of all the parties involved, all the six writ petitions are being taken up together for their final adjudication, as vide the impugned orders of even date, six different complaints, pertaining to different subjects of information sought under the Right to Information Act, 2005, have been decided separately, imposing a penalty of Rs.25,000/- in each complaint case. For the sake brevity, the facts are being culled out from CWP-3801 of 2016, for apt adjudication.



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2. Through the instant petition, a challenge is thrown to the order dated 21.01.2016 (Annexure P-48) passed by the State Information Commission (respondent no.1), where through, the petitioner-State Public Information Officer (Nodal) (SPIO), was burdened with a penalty of Rs.25,000/- (in each application), as he was found guilty of denying information/supplying incomplete information, to the applicant/respondent no.2.

3. A perusal of case file reveals that till date despite service, respondent no.2 (applicant), who is the main contesting party to the instant *lis*, has not caused appearance. It seems that he is not interested in defending instant matter, therefore, he is ordered to be proceeded against *ex parte*.

4. Learned counsel for the petitioner submits that the petitioner, was appointed as SPIO (Nodal Officer), in the Department of the Punjab Technical University, vide order dated 03.03.2015 (Annexure P-4). He further submits that vide the abovesaid order, for the each department of the said university, either an Additional SPIO or a SPIO, were also appointed, however, petitioner's work was only to accept the RTI applications, and then transmit them to the concerned departmental SPIO for collection of information, and thereafter, supply the collected information to the applicants. Therefore, the petitioner was, entirely, dependent upon the informations provided by the SPIOs of respective departments.



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5. He next submits that in the instant matter, earlier an RTI application was filed seeking information for the academic sessions of 2005 to 2014 for the PAN India functions. In response, a relevant information comprising of more than 1700 pages was supplied to respondent no.2/applicant. Subsequently, respondent no.2, filed various applications seeking the same information State-wise. The said applications were duly transmitted to the SPIO (Accounts Department) and the SPIO (Distance Education Departments), with a direction to supply the requisite information in accordance of RTI Act, 2005.

6. He also submits that there may have been some delay in supplying the information, however, considering the volume of information, and the manner in which it was sought, such delay was bound to occur.

7. He further argues that now the entire information has already been provided to respondent no.2/applicant, and there is no dispute in this regard.

8. He, in addition, submits that respondent no.2/applicant, has never opted to cause appearance before this court, which fortifies his submission to the effect that he is now satisfied with the information so provided under the RTI Act.

9. He finally, submits that the petitioner performed his duties diligently, and there is no deliberate intention to scuttle the flow of



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information, which he had received from the SPIOs of concerned departments.

10. On the other hand, learned counsel for respondent no.4, draws attention of this Court towards the affidavit of respondent no.4 (Parvesh Aspal), which are annexed as Annexures P-34, P-37 and P-38, to substantiate the submissions, as made by learned counsel for the petitioner, to the effect that all the requisite informations, as demanded by respondent no.2/applicant, have been provided.

11. Finding no objections to the effect that all informations have been supplied, and the grievance of respondent no.2/applicant has been redressed, the only issue remains for adjudication before this Court, as to whether, the penalty which was imposed upon the petitioner, is sustainable or not.

12. With the able assistance of learned counsels for the petitioner, respondent no.1 and respondent no.4, this Court finds that, though the impugned order is detailed one, which carries each and every description of the day-to-day proceedings, and the objections of the respondent no.1/applicant regarding the information he received, however, the said order does not clearly reveals, what information the petitioner sought exactly; what information was supplied at the initial stage; what information was supplied after the statutory period, which could be construed as a delayed information.



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13. This Court has also perused Annexure P-4, which is an office order dated 03.03.2015, where through, the petitioner was designated as SPIO (Nodal) for the university concerned. In that eventuality, the petitioner was dependent upon the information to be supplied by the other SPIOs of the department concerned. In the instant matter, the information sought was pertaining to the Accounts Department and the Distant Education Department of the university, therefore, the petitioner cannot solely held responsible for the delay in providing the said information.

14. Since all the informations, as sought by respondent no.2/applicant, has been supplied to him, therefore, considering all the mitigating circumstances, and above factual aspects, this Court **sets aside** the impugned order, only to the extent of the imposition of penalty of Rs.25,000/- upon the petitioner.

15. **Disposed of** accordingly.

16. All pending application(s), if any, also stand **disposed** of accordingly.

17. A photocopy of this order be placed on the files of the connected cases.

December 01, 2025
dharamvir

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No