



CWP-23531-2022

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215 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-23531-2022

Date of Decision : 05.05.2026

LAKHWINDER SINGH

.....Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Amrinder Pratap Singh, Advocate,
for the petitioner.

Mr. Amit Kumar Goyal, Addl.A.G., Punjab
for respondents no.3 to 8.

KULDEEP TIWARI, J.(Oral)

1. The State Information Commissioner, by invoking the powers bestowed with him/her under Section 20(1) of the RTI Act, 2005, imposed a penalty of Rs.10,000/- upon the Public Information Officer, i.e. the present petitioner, vide order dated 28.07.20222 (Annexure P-12), which gave a cause of action to the petitioner to file the instant writ petition under Article 226/227 of the Constitution of India, to challenge the legality of the order (*supra*).

2. Learned counsel for the petitioner submits that there was no delay on the part of the petitioner. Rather, the information sought, was to be collected from various authorities, holding the relevant records. As and when such information was received, it was duly supplied to the applicant (respondent no. 9). All these aspects have not been considered by the State Information Commissioner, while imposing the penalty of

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Rs.10,000/-. In the instant case, the application under RTI was filed by respondent no.9, seeking various informations, which are extracted hereinafter:-

- “1. How many applications regarding Shagun Scheme in your department for the year 2018 and 2019 were received?
2. How many applications in this regard were received directly or through Sewa Kendra in the year 2018 and 2019?
3. Out of the total applications received in the year 2018 and 2019 how many applications have been pending and in how many application, payments have been made, copy of the receipt in token thereof be sent, so that it could be known as to that how many beneficiaries have received the payments.
4. The reason for non-payment under the Shagun Scheme of the case pending in the year 2018 and 2019.
5. Give the correct explanation of the applications received for Shagun Scheme during the year 2018 and 2019. Detail of the receipt be also supplied, whereby payments were made and which employee made the payment be also explained.
6. In how many department, the application regarding Shagun. Scheme passed throw and how many officer sign the same.
7. Who are the dealing employee, name of such employee be disclosed, who dealt with such application during the year 2018 and 2019.
8. When the beneficiary submits his application in the department in how much time payment is made to him. How much time is taken for this procedure.”

3. Since the abovesaid requisite information was under the control of various authorities, therefore, within seven days, i.e. on 18.12.2020, the petitioner forwarded the application to concerned offices, i.e. Tehsil, Social Justice and Empowerment Officer, Jalandhar-I, Jalandhar-2, Nakodar, Shahkot and Phillaur, with the direction to send the relevant information. Various reminders were also sent on 04.01.2021, 05.01.2021 and 11.01.2021. In the meanwhile, the information was received, however, the requisite information was not furnished properly, therefore, the petitioner again wrote to all the authorities on 04.02.2021.



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4. The requisite information was finally received only on 18.08.2021 till 23.08.2021, and the same was made available to the applicant (respondent no.9) on 25.08.2021 (Annexure P-8). In response to the said application, the reason for delay in supplying information, was also mentioned.

5. All the aforesaid facts, have not been examined by the State Information Commissioner. Instead, on account of non-filing of reply to the show cause notice, and only considering that there was a delay on the part of the petitioner-PIO, a penalty of Rs.10,000/- has been imposed. From the sequence of events as narrated above, this Court can safely conclude that there is neither any delay on the part of the petitioner, nor there was any intention for not supplying the requisite information.

6. Furthermore, since the entire requisite information has already been supplied to the applicant (respondent no.9), this Court does not find any justification for the imposition of any penalty upon the petitioner. Accordingly, the impugned order, to the extent of imposing penalty of Rs.10,000/- upon the petitioner, is hereby **set aside**.

7. **Disposed of** accordingly.

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

May 05, 2026
dharamvir

(KULDEEP TIWARI)
JUDGE

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