



CWP-27029-2021 (O&M)

1

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

(211)

CWP-27029-2021 (O&M)

Date of Decision : 06.04.2026

Pardeep Kumar Sharma

...Petitioner

Versus

State Information Commission through
Chief Information Commissioner,
Haryana and another

...Respondents

CORM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Rahul Jaswal, Advocate
for the petitioner.

Mr. Kapil Bansal, DAG, Haryana.

Mr. Gaurav Tyagi, Advocate
for respondent No.2.

KULDEEP TIWARI, J. (ORAL)

1. Through the instant writ petition, cast under Article 226 of the Constitution of India, a challenge is thrown to the order dated 27.10.2021 (Annexure P-15), passed by the State Information Commissioner, Haryana, wherethrough, a penalty of Rs.12,500/-, was imposed upon the petitioner.

2. From perusal of the instant writ petition, it reflects that the petitioner was appointed as an Administrator of Gram Panchayat, Sanoli Khurd, and he remained on the said position till 23.02.2021. In the meanwhile, respondent No.2, filed an application dated 01.07.2019, seeking hereinafter information from the Administrator of the Gram Panchayat concerned :-

*“1. Certified copies of all the Resolutions passed by the
Gram Panchayat, Sanoli Khurd w.e.f. dated 01 January*



2017 upto the date of supplying the information, be provided.

2. Certified copies of all the proposals passed by the Gram Sabha, Sanoli Khurd w.e.f. dated 01 January 2017 upto the date of supplying the information, be provided.

3. Certified copies of all the pages of Stock Register of Gram Panchayat, Sanoli Khurd w.e.f. dated 01 January 2017 upto the date of supplying the information, be provided.

4. Certified copies of all the pages of Cash Book of Gram Panchayat. Sanoli Khurd w.e.f. dated 01 January 2017 upto the date of supplying the information, be provided.

5. Certified copies of all the pages of Ledger Book of Gram Panchayat, Sanoli Khurd w.e.f. dated 01 January 2017 upto the date of supplying the information, be provided.

6. Certified copies of all the pages of Measurement Books regarding the works done by the Gram Panchayat, Sanoli Khurd w.e.f. dated 01 January 2017 upto the date of supplying the information, be provided.

7. Certified copies of all the pages of Mustral Book of Gram Panchayat, Sanoli Khurd w.e.f. dated 01 January 2017 upto the date of supplying the information, be provided.

8. Certified copies of all the R.TJ. Applications received in the Office of Gram Panchayat, Sanoli Khurd w.e.f. dated 01 January 2017 upto the date of supplying the information, be provided.

9. Certified copies of the list of all the Gram Sachivs (Gram Secretary) providing services to the Gram Panchayat, Sanoli Khurd w.e.f. dated 01 January 2017 upto the date of supplying the information be made available.

10. Please supply the name and designation of the Public Information Officer of your Office.



11. From where and from which date the Public information Officer of your Office has obtained the training, please supply a copy of the Certificate of Training.”

3. The information, as sought by respondent No.2, was supplied to him, except the information sought at Point No.8. Fetching grievance, he filed an appeal before the learned Appellate Authority concerned, which passed a direction upon the petitioner, to supply the information as sought against the Point No.8 of the application (supra). Despite the directions given by learned Appellate Authority concerned, requisite information was not supplied, and the respondent No.2, preferred a second appeal before the learned State Information Commissioner concerned. The second Appellate Authority concerned, disposed of the said appeal, through an impugned order dated 27.10.2021 (Annexure P-15), whereby, a directions was passed upon the petitioner, to furnish the requisite information as sought at Point No.8 of the application (supra), with a copy to the Commission within a week from receipt of this order, free of cost, and further, a penalty of Rs.12,500/- each was imposed upon the petitioner and Mr. Kuldeep, ASPIO-cum-Gram Sachiv, Sanoli Khurd, District Panipat.

4. Fetching grievance from the order, wherethrough, a penalty of Rs.12,500/- was imposed upon the petitioner, the instant writ petition has been filed.

5. Learned counsel for the petitioner submits that there is no deliberate intent for not supplying the asked for information. He submits that all the information has already been supplied to respondent No.2, except the information sought at Point No.8. Subsequently, the said information was also



delay, he would not have supplied the rest of the information sought on all other 10 points. He next submits that the respondent No.2, is a chronic litigant, and has filed multiple RTI applications, and so far as the information sought at Point No.8 is concerned, the respondent No.2, is only seeking certified copies of all the RTI applications, received in the office of Gram Panchayat, Sanoli Khurd, District Panipat, which otherwise will not serve any public purpose.

6. On the other hand, learned counsel representing the respondent No.2, has strongly opposed the submission as made by learned counsel or the petitioner, and submits that till date the information sought at Point No.8, has not been provided to respondent No.2, and now there is a deliberate attempt on the part of the petitioner to destroy the said information. Therefore, learned second Appellate Authority concerned has rightly imposed the penalty of Rs.12,500/-, upon the petitioner, which does not require any interference by this Court.

7. This Court has heard the rival submissions as made by learned counsel for the parties concerned, and has gone through the available record.

8. It reflects from the record that the petitioner has supplied the information on all other 10 points, except the information sought at Point No.8, which clearly reflects that the intention on the part of the petitioner for not supplying the said information was not deliberate. He further submits that the information which is sought at Point No.8, pertains to the certified copies of RTI applications, which are in fact, filed by respondent No.2, himself. Therefore, this Court finds that this aspect has not been considered, in the right perspective. It has also come on the record that an offer was given to the respondent No.2, to inspect the official record.



9. The submission of respondent No.2, with regard to some of the official documents, pertaining to information sought at Point No.8, has been destroyed, and therefore, action be taken against the petitioner.

10. This Court finds that such plea cannot be adjudicated in the instant writ petition. The SPIO concerned, is under obligation to supply the information, which is available on record. In case, any information or official record is lost, or has been destroyed, the remedy lies somewhere else that that remedy is available to respondent No.2

11. This Court has also examined the impugned order, and is of the considered opinion that imposition of penalty is a harsh decision, specifically when the information only of one point, out of eleven points was not supplied, that too with regard to the certified copies of RTI applications, which was filed by the applicant/respondent No.2, himself.

12. Consequently, the impugned order dated 27.10.2021 (Annexure P-15), is hereby, **set aside** only to the extent of imposition of penalty of Rs.12,500/-. However, the Sarpanch of the Gram Panchayat/BDPO, shall ensure that the information sought at Point No.8 of RTI application dated 01.07.2019, be made available to the applicant/respondent No.2.

13. **Disposed of** accordingly.

14. Pending applications, if any, also stands disposed of.

(KULDEEP TIWARI)
JUDGE

April 06, 2026
Manpreet