

Regd.
From

Director General Higher Education,
Haryana, Shiksha Sadan,
Sector-5 Panchkula.

To

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All Principals,
posted in Govt. Colleges,
in the State of Haryana.

Memo No. 12/01-2019 Ad(2)

Dated: 15.05.2025

Subject:- Regarding recovery of penalty imposed by the State information commission Haryana.

Kindly refer to the subject noted above.

Please find enclosed herewith a copy of letter no. 5/52/2016-AR dated 11.03.2025 received from Chief Secretary to Govt. Haryana Human Resources Department for information and necessary action.

Encl. As above.

Superintendent Administration
for Director General Higher Education Haryana,
Panchkula

Endst. no. 12/01-2019 Ad(2)

Dated:

A copy of the above is forwarded to All Superintendents/ Deputy Superintendents (HQ) alongwith a copy of letter no. 5/52/2016-AR dated 11.03.2025 received from Chief Secretary to Govt. Haryana Human Resources Department for information and necessary action.

Encl. As above

Superintendent Administration
for Director General Higher Education Haryana,
Panchkula

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No. 05/52/2016-1AR
GOVERNMENT OF HARYANA
CHIEF SECRETARY'S ORGANISATION
GENERAL ADMINISTRATION DEPARTMENT
(Administrative Reforms Branch)

Dated, Chandigarh the 11th March, 2025

To

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S. Ad.
1. All the Administrative Secretaries to Govt. of Haryana.
 2. All the Head of Department in Haryana.
 3. All the Chief Administrators and Managing Directors of Boards/Corporations in Haryana.
 4. All the Divisional Commissioner in the State of Haryana.
 5. All the Deputy Commissioners in the State of Haryana.

Subject:- Regarding recovery of penalty imposed by the State Information Commission, Haryana.

Sir,

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I am directed to refer to you on the subject noted above and invite your attention to Notification No. 5/52/2016-1AR, dated 3rd July 2018, through which the Haryana Right to Information (Amendment) Rules, 2018 were formulated. The aforementioned rules inter alia provide as follows:

"The commission shall make order in writing and pronounce the same in the presence of the concerned parties:

The Commission may, at the time of deciding any complaint/appeal, impose penalty on a State Public Information Officer in accordance with the provision of section 20 of the Act.

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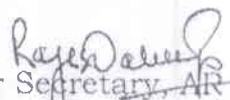
A copy of the order of the commission imposing penalty on a state public information officer shall be forwarded to the registrar. After receipt of such order, the register shall enter the details thereof in a register maintained for the purpose in Form C. The penalty order shall be conveyed by the registrar vice a letter in form D to the controlling authority concerned for recovery of the penalty amount from the salary of the State Public Information Officer and for the deposit of this amount in the following head of account, by the date fixed namely. The Government shall make necessary arrangements to ensure recovery of the penalty amount from the State Public Information Officer concerned in compliance of the order of the Commission."

2. It is further clarified that the above rules are clear in stating that any penalty imposed by the State Information Commission (SIC) on a State Public Information Officer, in accordance with the provisions of Section 20 of the RTI Act, 2005, should be recovered from the salary of the concerned SPIO. The rules also stipulate that the Government shall make necessary arrangements to ensure the recovery of the penalty amount from the SPIO. Therefore, it is clarified that "Government" refers to the Government of the State of Haryana in the Administrative Department (please refer to Definition 37 of HCS Rules, 2016). Additionally, it is clarified that the "controlling officer" means the head of the department or any other departmental officer entrusted with the responsibility of controlling the incurring of expenditure and/or the collection of revenue by the competent authority (please refer to Definition 13 of HCS Rules, 2016).

3. It has come to the notice of the State Government that, despite efforts made by the Registrar of the SIC and follow-up with the controlling authorities concerned, the penalty imposed by the Haryana State Right to Information Commission on a State Public Information Officers has not been recovered by the controlling authority. Due to the non-recovery of penalties, a significant amount remains outstanding as recoverable from the SPIOs. The Government has taken a serious view of this lapse on the part of the controlling authorities and has further directed all controlling authorities to initiate the process of recovery of the penalty amount from the HRMS/E-salary of the concerned SPIO at the earliest. Once the penalty amount is recovered, the Controlling Authority shall deposit the amount in the designated head of account specified by the Commission and submit a compliance report to the Registrar, confirming the recovery and deposit of the penalty amount. The controlling authorities are also at liberty to deduct the penalty amount directly from the salary portal of the concerned SPIO, provided that the SPIO is given adequate opportunity.

4. It has also been decided that controlling authorities may withhold the Last Pay Certificate/No Due Certificate from such SPIOs until the penalty amount has been fully recovered. Also to recover the amount of penalty out of pension from the State Public Information Officer who has retired without depositing the amount of penalty imposed under the RTI Act, 2005.

You are, therefore, requested that the above instructions may bring to the notice of all concerned for strict compliance in true letter and spirit.


Under Secretary, AR Branch
for Chief Secretary to Govt. Haryana

Endst. No. 05/52/2024-1AR

Dated, Chandigarh the 11th March 2025

A copy of the above is forwarded to the Secretary, State Information Commission, Haryana, with the directions to display the list of outstanding penalty recoveries on the Commission's website. This will enable all departments to view the SPIOs against whom penalties have been imposed by the commission and the respective departments concerned. Also, besides the Commissioner may initiate the recovery proves through module as developed by NIC.

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Under Secretary, AR Branch
for Chief Secretary to Govt. Haryana

A copy of the above is forwarded to the Additional Chief Secretary, Finance Department, with a request to issue necessary directions to the all DDOs for recovering the penalty from the salary through the HRMS e-salary portal.

To

Additional Chief Secretary to Government, Haryana
Finance Department (FG-I Branch)

Endst. No. 05/52/2024-1AR

Dated, Chandigarh the 11th March 2025