



HPGCL
AN ISO: 9001, ISO: 14001 &
OHSAS: 18001 COMPANY

HARYANA POWER GENERATION CORPORATION LTD

Regd. Office: C-7, Urja Bhawan, Sector-6, Panchkula
Corporate Identity Number: U45207HR1997SGC033517

Website: www.hpgcl.org.in
Telephone No. 0172-5023425

E-mail: dsgenl@hpgcl.org.in
Fax No. 0172-5022434

From

Chief Engineer/Admn.,
HPGCL, Panchkula.

To

1. All Chief Engineers in HPGCL.
2. Controller of Accounts, HPGCL, Panchkula.
3. Controller of Finance, HPGCL, Panchkula.
4. All FA & CAOs in HPGCL.
5. Company Secretary, HPGCL, Panchkula.

Memo No. Ch-~~sp~~1/GB/REG-65/RTI/ 1335

Dated: 02.09.2019

Subject:- Recovery of penalty imposed under the provision of Right to Information, Act, 2005.

Enclosed please find herewith a copy of memo no. 5/52/2016-1AR dated 02.08.2019 received from Under Secy./Administrative Reforms O/o Chief Secy. to Govt. of Haryana on the subject noted above. A copy of Notification no. 5/52/2016-1AR dated 3.7.2018 in this regard is also enclosed herewith for ready reference.

This is for your information and compliance, please.

DA/As above.

Y-
Dy. Secy./Genl.
For Chief Engineer/Admn.
HPGCL, Panchkula.

Endst. No. Ch-~~sp~~1/GB/REG-65 / 1335

Dated: 2/9/19

A copy of the above is forwarded to the following for information and further necessary action, please :-

1. SE/Electrical-cum-SPIO, O/o CE/Project, HPGCL, Panchkula.
2. SE/MM & Store-cum-SPIO, DCRTTP, Yamuna Nagar.
3. SE/Operation-cum-SPIO, FTPS, Faridabad.
4. SE/MP&GS-cum-SPIO, PTPS, Panipat.
5. SE/M&T-cum-SPIO, RGTPP, HPGCL, Khedar, Hisar.
6. SE/Fuel-cum-SPIO, HPGCL Panchkula.
7. Dy. Secy./Estt.-cum-SPIO, HPGCL, Panchkula. (G)
8. Under Secy/Estt.-cum-SPIO, HPGCL, Panchkula. (NG)
9. Under Secy/Rectt.-cum-SPIO, Urja Bhawan, HPGCL, Sector-6, Panchkula.
10. Sr. Accounts Officer/EAD, HPGCL, Panchkula.
11. XEN/IT, HPGCL, Panchkula. It is requested to upload these instructions on the website of HPGCL.

DA/As above

Y-
Dy. Secy./Genl.
For Chief Engineer/Admn.
HPGCL, Panchkula.

Endst. No. Ch-~~sp~~1/GB/REG-65 / 1335

Dated: 2/9/19

A copy of the above is forwarded to Under Secy./Administrative Reforms O/o Chief Secretary to Govt. Haryana (e-mail : undersecy.ar@hry.gov.in) with reference to memo referred above.

Y-
Dy. Secy./Genl.
For Chief Engineer/Admn.
HPGCL, Panchkula.

CC:

PS to Chief Engineer/Admn., HPGCL, Panchkula.

XEN/IT, HPGCL
Diary 99
Date 03/09/19

HPGCL

No. 5/52/2016-1AR
Government of Haryana
Chief Secretary's Office
Administrative Reforms Department

MD/HPGCL
16/8/19

Dated Chandigarh the, 02nd August, 2019

To

- (i) All the Administrative Secretaries to Govt. Haryana.
- (ii) All Heads of Departments in Haryana.
- (iii) All the Chief Administrators and Managing Directors of Boards/Corporations in Haryana.
- (iv) The Registrar General, Punjab & Haryana High Court.
- (v) All the Registrar of Universities in Haryana.

Dir/Gen. 22472 Dt. 20/08/19
 CE/RGTPP
 CE/PTPS
 CE/Pig.
 CE/REO
 CE/Proj.
 CE/Admin.
 SE/Tech.
 SPS/File/Discuss

Subject:- Recovery of penalty imposed under the provision of Right to Information Act, 2005.

Sir/Madam,

I am directed to invite your attention to this Department's Notification No. 5/52/2016-1AR dated 03.07.2018 vide which Government had made amendment in rule 10 of Haryana Right to Information Rules, 2009 that Commission at the time of deciding any complaint/appeal may impose penalty on SPIO in accordance with the provisions of section 20 of the Act. The penalty order shall be conveyed by the Registrar to the controlling authority concerned for recovery of the penalty amount from the salary of the SPIO and for the deposit of this amount in the relevant head of account.

Now, it has come to the notice of the Government that despite efforts made by the Registrar of SIC and follow up with the Controlling Authorities concerned for recovery of the penalty amount from the salary of the State Public Information Officers, the pace of recovery is not encouraging.

Government has taken serious view of this lapse on part of the controlling authorities and decided that in case the amount of penalty is not recovered from the concerned State Public Information Officer, the Drawing and Disbursing Officer will be held responsible for this lapse and strict action will be taken against him/her as per provision made in Haryana Civil Services (Punishment and Appeal) Rules, 2016. All the Drawing and Disbursing Officers are directed to recover the penalty amount from the salary of the concerned State Public Information Officers and send a compliance report to Registrar, State Information Commission, Haryana.

DS/Estt.
 DS/General
 DS/T&M
 DS/NGE
 US/Rectt.
 XEN/HR&Trg.
 US/Estt.
 SF/Admn.
 Date: 21/8/19

No. 2092 /Admn.
 Date: 20/08/19
 SE/Admn.
 CE/Admn.

DAIRY NO. 5592
 DATE: 26/8/19
 SEE/GENL.
 SUPDT/GENL.
 BY SUPDT/GENL.
 ASSTT. 1/GENL.
 ASSTT. 2/GENL.

pe arnell
 DS/GENL

22472
 MD/HPGCL
 Dated: 02/08/19

It has also been decided that controlling authorities may not issue Last Pay Certificate/No Dues Certificate to such SPIOs till he/she deposits the amount of outstanding penalty.

You are also requested to recover the amount of penalty out of pension from such officer/official who have retired without depositing the amount of penalty imposed under the RTI Act, 2005.

This may kindly be noted by all concerned for its strict compliance.

Yours faithfully,

Santosh Kumari 2/8/19
(Santosh Kumari)

Under Secretary, Administrative Reforms,
for Chief Secretary to Government, Haryana.
Rax 2740001, 2740226, Ext. 8818.
E-mail address: undersecy.ar@hry.gov.in

No. 5/52/2016-1AR

Dated, Chandigarh the, 02nd August, 2019

A copy is forwarded to Secretary, State Information Commission, SCO No. 70-71, (1st Floor), Sector 8-C, Chandigarh for information and necessary action.

S.
(Santosh Kumari)

Under Secretary, Administrative Reforms,
for Chief Secretary to Government, Haryana.

HARYANA GOVERNMENT
ADMINISTRATIVE REFORMS DEPARTMENT
Notification

The 3rd July, 2018

No.5/52/2016-IAR,-In exercise of the powers conferred by sub-section (1) read with sub-section (2) of section 27 of the Right to Information Act, 2005 (Central Act 22 of 2005), the Government of Haryana hereby makes the following rules further to amend the Haryana Right to Information Rules, 2009, namely:-

1. These rules may be called the Haryana Right to Information (Amendment) Rules, 2018.
2. In the Haryana Right to Information Rules, 2009, for rule 10, the following rule shall be substituted namely:-

"10 (1) The Commission shall make order in writing and pronounce the same in the presence of the concerned parties.

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

(3) 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 Registrar shall enter the details thereof in a register maintained for the purpose in Form 'C'.

(4) The penalty order shall be conveyed by the Registrar vide 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:-

Major Head	0070-Other Administrative services
Sub Major Head	60-Other Services
Minor Head	118-Receipts under Right to Information Act,2005 (Central Act 22 of 2005)
Sub Head	98-Penalties imposed under Right to Information Act,2005 (Central Act 22 of 2005)
Detailed Head	51-NA
Object Head	00-No Standard Object Head

- (5) 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.
- (6) The Registrar shall be responsible for following up each such matter in which the Commission has imposed penalty on any State Public Information Officer, till compliance report is received.
- (7) The party concerned may obtain the copy of the order from the Commission."

FORM 'D'
[see Rule 10(3)]
State Information Commission, Haryana.

Complaint/Appeal Registration No.....

Sh./Smt.....Complainant /Appellant

Vs

.....Opposite Party

From: Registrar
State Information Commission, Haryana
.....
.....
Chandigarh

To:

(Name, designation and address of officer who will recover the penalty imposed)

Whereas a complaint /second appeal was presented by Sh/Smt..... resident of(address) and was registered in this Commission as above;

And whereas the aforesaid complaint/ appeal has been decided by the bench of Sh./Smt.....who in exercise of powers vested under section 20 of the Right to Information Act, 2005 has ordered imposition of penalty on the State Public Information Officer concerned as follows:

(a) Name (if available), designation and address of the State Public Information Officer on whom penalty imposed

(b) Amount of penalty imposed with details of Installments fixed, if any.

A copy of the aforesaid order is annexed.

Now therefore, you are requested to ensure compliance of the aforesaid order by deduction of the amount of the penalty as aforesaid from the salary of the state public Information officer concerned and deposit the amount so recovered in the following head of account:

Major Head	0070-Other Administrative services
Sub Major Head	60-Other Services
Minor Head	118-Receipts under Right to Information Act,2005 (Central Act 22 of 2005)
Sub Head	98-Penalties imposed under Right to Information Act,2005 (Central Act 22 of 2005)
Detailed Head	51-NA
Object Head	00-No Standard Object Head

You are further requested to send a report on action taken in compliance of aforesaid order of the Commission within three months of the date of this letter.

Date:

Registrar
State Information Commission, Haryana.

D.S.Dhesi,
Chief Secretary to Government, Haryana.