

PUNJAB STATE INFORMATION COMMISSION

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Sector 16, Chandigarh.

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Sh. (Dr.) Ramandeep Kumar

H No. 629, Ward No-3,

Aggarwal Colony, Thana Road,

Bhikhi, Distt Mansa

M: 9417025721

Encl.

V/s

.....Appellant

Public Information Officer,

O/o Registrar,

Akal University,

Talwandi Sabo,

Distt Bathinda

First Appellant Authority,

O/o Registrar, Akal University,

Talwandi Sabo, Distt Bathinda

....Respondents

Appeal Case No. 4037 of 2024

Present

Dr. Ramandeep Kaur, the appellant.

Advocate, Aashish Sood (6284062590) on behalf of the Akal University.

ORDER:

2. The appellant requested for the information i.e. his salary slips from July 2015 to October 2021 and also reiterated the submissions already made by him and to the queries already raised by the Commission. However, the respondent submitted the reply with regard to the queries raised by the Commission and submitted 45 pages in this regard, which are taken on record.
3. The respondent further submits that the said institution Akal does not falls under 2 (h) of the RTI Act. A copy of the submissions made by the respondent is **being sent** to the appellant to file the counter submissions, if any.
4. The respondent also submitted a copy of the notification issued on 04.02.2015 by the department of Legal & Legislative Affairs, Punjab vide which an Act called the Akal University Act, 2015 (Punjab Act 25 of 2015) which was enacted by Legislature of the State of Punjab.

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It is further appropriate to mention the objects of the University:

4. The objects of the university shall be,-	Objects of the University.
(i) to provide for instruction, teaching, education, research and training at all levels in all disciplines of higher education including professional, medical, technical, general education and in any other stream and subject, as per the needs of the industry and the society in general, as may be deemed necessary by the University through all the modes of education as may emerge or become relevant in future ;	
(ii) to promote the academic aspirations of the rural students ;	
(iii) to undertake industry oriented teaching, training and research, extension programmes and to provide employable skills with a view to contribute to the development of the society ;	
(iv) to provide for research, creation, advancement and dissemination of knowledge, wisdom and understanding ;	
(v) to encourage and motivate leading industrial houses for setting up at the campuses their respective corporate institutes for academia industry nexus;	

(vi) to disseminate knowledge so as to make it accessible to all strata of the society;	
(vii) to promote the Punjabi studies to provide for research in Punjabi Language and Literature and to undertake measures for the development of Punjabi Language, Literature and Culture; and	
(viii) to do all such things as may be necessary or desirable to further the objects of the University.	

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5. Also, the Governor of Punjab is the visitor of the University who is having the following powers:

The Visitor.

8. (1) The Governor of Punjab shall be the Visitor of the University.

(2) The Visitor shall preside over the convocation of the University for conferring degrees and diplomas.

(3) The Visitor shall have the right to call for any information relating to the affairs of the University.

(4) The Visitor, in consultation with the Chancellor, may cause the inspection, scrutiny, investigation, survey or inquiry or any other such like thing to be made by such person, as he may direct in respect of administrative, academic or executive matters of the University.

(5) The Visitor shall, in every case, give notice to the University of his intention to cause the inspection, scrutiny, investigation, survey or inquiry or any other such like thing to be made and the University shall appoint a representative, who shall be present at such inspection, scrutiny, investigation, survey or inquiry or any other such like thing, as the case may be.

(6) The Visitor may inform the Vice-Chancellor about the results of

such inspection, scrutiny, investigation, survey or inquiry and the Vice-Chancellor shall communicate to the Governing Body, the views of the Visitor along with such advice, as the Visitor may have tendered and the action to be taken on such advice.

(7) The Vice Chancellor shall inform the Visitor about the action taken or proposed to be taken by the University with respect to the inspection, scrutiny, investigation, survey, inquiry, or any other such like thing, as the case may be.

(8) If the State Government considers it appropriate in public interest to make inspection, scrutiny, investigation, survey or inquiry, as the case may be, in respect of any matter relating to the University or its institutions, a reference shall be made by the State Government to the Visitor, who shall, in consultation with the Chancellor, cause such inspection, scrutiny, investigation, survey or inquiry, to be made.

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6. It has also mentioned that the Chairman shall be the Chancellor of the University and in the absence of the visitor the Chancellor shall preside over the convocation of the University. Further the Chancellor shall be the Chairman of the Governing Body who shall approved all appointments, nominations, removal, suspensions and reinstatement of the Employees and Officers of the University either suo-moto or on the recommendation of the authority concerned of the University.

7. The Governing Body of the university consists of the following:

15. (1) The Governing Body of the University shall consist of the following persons, namely :-	The Governing Body.
(a) the Chancellor;	: Chairman
(b) the Vice-Chancellor;	: Member
(c) three persons nominated by the Society, out of whom two shall be eminent educationists;	: Members
(d) one expert of management or information technology;	: Member
(e) one expert of Finance, nominated by the Chancellor;	: Member

(f) the Secretary to Government of Punjab, Department of Higher Education or his representative not below the rank of Joint Secretary; and	: Member
(g) one eminent educationist nominated by the Secretary to Government of Punjab, Department of Higher Education in consultation with the Chancellor.	: Member

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8. The Governing Body shall be the Supreme Body of the University and has to perform the following functions:

(2) The Governing Body shall be the supreme body of the University. It shall perform the following functions, namely :-

- (a) to provide general superintendence and to give directions for controlling the functioning of the University in accordance with the statutes, ordinances and regulations;
 - (b) to review the decisions of other authorities of the University in case these are not in conformity with the provisions of the statutes, ordinances and regulations;
 - (c) to approve the budget and annual report of the University;
 - (d) to lay down the extensive policies to be followed by the University; and
 - (e) to exercise such other powers, as may be prescribed by the statutes.
- (3) The Governing Body shall meet at least twice in a calendar year.
- (4) The quorum for meeting of the Governing Body shall be five.

9. Also, a Board of Management has been constituted consisting of the following:

The Board of Management.

16. (1) The Board of Management shall consist of the following members, namely:-

- | | |
|--|---------------|
| (a) the Chancellor or his nominee; | : Chairperson |
| (b) the Vice-Chancellor; | : Member |
| (c) two members of the Society nominated by the Society; | : Members |
| (d) the Director of the Directorate concerned relating to education as representative of the State Government; | : Member |
| (e) three persons, who are not the members of the Society, nominated by the Society; | : Members |
| (f) two persons from amongst the teachers nominated by the Society; and | : Members |
| (g) two teachers, nominated by the Chancellor. | : Members |

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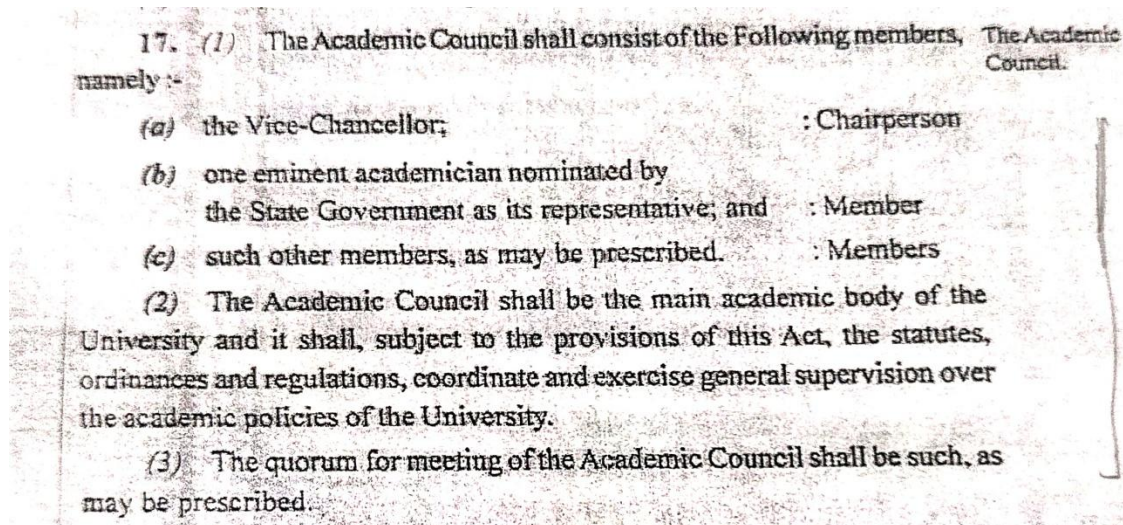
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10. Also, as per the Act, the Academic Council has to be constituted comprising the following



11. Section 2 (h) provides:

In this Act, unless the context otherwise requires,—

(h) "public authority" means any authority or body or institution of self government established or constituted—

- (a) by or under the Constitution;
- (b) by any other law made by Parliament;
- (c) by any other law made by State Legislature;
- (d) by notification issued or order made by the appropriate Government, and includes any—
 - (i) body owned, controlled or substantially financed;
 - (ii) non-Government organisation substantially financed, directly or indirectly by funds provided by the appropriate Government;

directly or indirectly by funds provided by the appropriate Government;

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12. Admittedly, Section 2(h)(a) and (b) is not applicable in this case. As per Section 2(h)(c) it is mentioned that by any other law made by State Legislature and the said University has been constituted by enacting an Act i.e. The Sant Baba Bhag Singh University Act, 2014 (Punjab Act No. 6 of 2015) to establish and incorporate a University in the State of Punjab to be known as Sant Baba Bhag Singh University for the purposes of making provisions for instruction, teaching, education, research, training and related activities at all levels in disciplines of higher education including professional, medical, technical, general education, language and literature and to provide for the matters connected therewith or incidental thereto and accordingly, the said Private University has been established. Once, the University has been established by enacting an Act, therefore, the plea of the respondent is not sustainable as the said University has been constituted and the provision of the RTI Act, 2005 Section 2(h)(c) is true i.e. “public authority” means any authority or body or institution of self-government established or constituted – (c) by any other law made by State Legislature. Accordingly, the said University falls under Section 2(h)(c) and is a “Public Authority”.

13. Further, Section 2(h)(d) provides - *by notification issued or order made by the appropriate Government - and includes any—*

- (i) *body owned, controlled or substantially financed;*
- (ii) *non-Government organisation substantially financed,*

Admittedly Clause 2(h)(d)(ii) of the Act are not attracted as per the submissions made by the respondent. However, Section 2(h)(d)(i) provides body owned, controlled or substantially financed and after the sentence there is a use of punctuation mark semicolon(;). A semicolon is used to separate different lists of items in a sentence. Further, a semicolon(;) can be used to separate two clause which means that 2(h)(d)(i) and 2(h)(d)(ii) are different lists and has to be dealt with separately. Since, 2(h)(d)(ii) is not attracted on the respondents therefore, no cognizance is being taken in this regard and the submissions made by the respondent are accepted that it's a non Government Organization which is not substantially financed.

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In the present case, it is also a fact that the University is not a body owned or substantially financed as has been submitted by the respondent, therefore the said clause(s) of Section 2(h)(d)(i) are also not applicable on the respondent. But in 2(h)(d)(i) the punctuation mark comma(,) has been used between the words body owned, controlled or substantially financed.

14. Before considering the word 'controlled', the punctuation mark Comma(,) has to be considered which has put in between the words body owned, controlled or substantially financed. For eg. if someone says that "Ramesh went to Britain, USA and Canada." it means he visited three places which are having their own identity and it cannot be read as one, as there is a use of Comma(.). A Comma(.) can be used to separate different sets of items mentioned in a sentence. It can also be used to separate two independent clauses that do not have coordinating conjunction linking them together.

15. The common pattern found in the sentence is that there is a punctuation mark comma (,) between one word and another word in the group signifying that each one of them is deemed to be a separate entity and all the words cannot be read together and the conjunction 'or' have been noticed above. Literally read, the conjunction 'or' between the words clearly divides the two words to use completely independent category of the second part. The first part is by itself complete and capable of operating independently as has been mentioned in the judgment passed by the Hon'ble Supreme Court of India in Civil Appeal No. 3991/2023 and 3992/2023 – Union of India Vs. Shapoorji Pallonji and Co. Pvt. Ltd. As such, the word 'controlled' mentioned under Section 2(h)(d)(i) is to be dealt with separately irrespective of the word 'owned' and 'substantially financed' mentioned in Section 2(h)(d)(i). Keeping in view the above, Section 2(h)(d) has to be read as "by notification issued or order made by the appropriate Government, and includes any -- body controlled" irrespective of the word owned or substantially financed as the said words has to be dealt with separately in accordance with the RTI Act, 2005 viz a viz its meaning.

16. As such, the word 'controlled' mentioned in Section 2(h)(d)(i) has to be considered in accordance with the provisions of the RTI Act, 2005, the mandate of which is to promote transparency and accountability in the working of every public authority. The Act also helps in containing corruption in the government and work for the people in a better way. The aim of the Act is maximum disclosures minimum exemptions to achieve the mandate of the Act.

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17. *The word 'Control' means*

1. *Subject to government direction or oversight;*
2. *Have government-appointed regulatory bodies;*
3. *Required to comply with government policies or guidelines;*
4. *To have power and ability to make somebody/something do what you want;*
5. *To keep something within certain limit;*
6. *Regulated by law with regard to possession and use;*
7. *Control as a verb is to exercise one's power or authority over something or someone, to regulate or govern, or to have a controlling interest in.*
8. *Control as a noun is the power to govern, manage, direct, or oversee something or someone.*
9. *The control law is a mathematical expression which describes the function implemented by an augmentation or autopilot controller.*
10. *Control means the possession, directly or indirectly of the power to direct or cause the direction of the management or policies of a person, whether through the ability to exercise voting power by contract or otherwise. 'Controlling' and 'Controlled' have meanings correlative thereto.*

18. It is appropriate to mention an order passed by the Hon^{ble} Supreme Court of India Writ Petition (Civil) No. 436 OF 2018 Anjali Bhardwaj and others versus Union of India and others, relevant portion of which is as follows -.

"10) Much before the enactment of RTI Act, which came on the statute book in the year 2005, this Court repeatedly emphasized the people's right to information to be a facet of Article 19(1)(a) of the Constitution. It has been held that the right to information is a fundamental right and flows from Article 19(1)(a), which guarantees right to speech. This right has also been traced to Article 21 which concerns about right to life and liberty. There are umpteen number of judgments declaring that transparency is the key for functioning of a healthy democracy. In the matter of State of Uttar Pradesh v. Raj Narain a Constitution Bench of this Court held that:

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"In a government of responsibility like ours, where all the agents of the public must be responsible for their conduct, there can but few secrets. The people of this country have a right to know every public act, everything, that is done in a public way, by their public functionaries. They are entitled to know the particulars of every public transaction in all its bearing. The right to know, which is derived from the concept of freedom of speech, though not absolute, is a factor which should make one wary, when secrecy is claimed for transactions which can, at any rate, have no repercussion on public security. To cover with veil secrecy the common routine business, is not in the interest of the public...."

11) S.P. Gupta vs. President of India and Others 2 , a Seven-Judge Bench of this court made the following observations regarding the Right to Information:

"....The concept of an open government is the direct emanation from the right to know which seems to be implicit in the right of free speech and expression guaranteed under Article 19(1)(a). Therefore, disclosure of information in regard to the functioning of Government must be rule and secrecy an exception justified only where the strictest requirement of public interest so demands. The approach of the court must be to attenuate the area of secrecy as much as possible consistently with the requirement of public interest, bearing in mind all the time that disclosure also serves an important aspect of public interest...."

12) We may also refer to the following observation from the judgment in the case of Reliance Petrochemicals Ltd. vs. Proprietors of Indian Express Newspaper, Bombay Private Limited and others:

"....We must remember that the people at large have a right to know in order to be able to take part in a participatory development in the industrial life and democracy. Right to Know is a basic right which citizens of a free country aspire in the broader horizon of the right to live in this age in our land under Article 21 of our Constitution. That right has reached new dimensions and urgency. That right puts greater responsibility upon those who take upon the responsibility to inform...."

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13) In Union of India and Another vs. Association of Democratic Reforms, this Court, while declaring that it is part of the fundamental right of citizens under Article 19(1)(a) to know the assets and liabilities of candidates contesting election to Parliament or the State Legislatures, also made following pertinent remarks:

"The right to get information in democracy is recognised all throughout and it is natural right flowing from the concept of democracy...."

14) The Parliament sprung into action and passed Right To Information Act, 2005, which became effective from 12th October, 2005, persuaded by the message of this Court in its various judgments, outlining the importance of right to information that should be made available to the citizens of the country. After the RTI Act as well, this Court has been emphasising the importance of right to information. We may usefully refer to the judgment in the case of Reserve Bank of India vs. Jayantilal N. Mistry where a Two-Judge Bench of this Court while upholding peoples' right to access information, made the following observations regarding the Right to Information.

"Because an informed citizen has the capacity to reasoned action and also to evaluate the actions of the legislature and executives, which is very important in a participative democracy and this will serve the nation's interest better which as stated above also includes its economic interests. Recognizing the significance of this tool it has not only been made one of the fundamental rights under Article 19 of the Constitution also a Central Act has been brought into effect on 12th October 2005 as the Right to Information Act, 2005...." The ideal of 'Government by the people' makes it necessary that people have access to information on matters of public concern. The free flow of information about affairs of Government paves way for debate in public policy and fosters accountability in Government. It creates a condition for 'open governance' which is a foundation of democracy."

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15) In an article by Alwin Toffler titled "What will our future be like?", he has traced the transition – from agriculture society to industry society to knowledge based society. If we go back to the beginnings of time agriculture was the prime source and the entire mankind was based on agriculture. 350 years ago with the invention of steam engines came the industrialized age and now what we are living through is the third gigantic wave, which is way more powerful than industrialized age. An age that is based on knowledge. Knowledge in today's times can be gathered from so many sources. In digital age, it is available online. Since knowledge is power, getting information on any subject becomes equally important. In the Valedictory Address at the National Convention on Right to Information held on 15th October 2006, the then Prime Minister of India, Dr. Manmohan Singh, Made the following pertinent remarks:

"We live in an age of information, in which the free flow of information and ideas determines the pace of development and well-being of the people. The implementation of RTI Act is, therefore, an important milestone in our quest for building an enlightened and at the same time, a prosperous society Therefore, the exercise of the Right to Information cannot be the privilege of only a few."

16) The connect between information regime and development is succinctly brought about by Mr. M.M. Ansari, former Central Information Commissioner, in the following manner

"Right to information (RTI) is harnessed as a tool for promoting participatory development, strengthening democratic governance and facilitating effective delivery of socio-economic services. In the knowledge society, in which we live today, acquisition of information and new knowledge and its application have intense and pervasive impact on processes of taking informed decisions, resulting in overall productivity gains.

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People who have access to information and who understand how to make use of the acquired information in the processes of exercising their political, economic and legal rights become empowered, which, in turn enable them to build their strengths and assets, so as to improve the quality of life. In view of this, almost every society has made endeavors for democratising knowledge resources by way of putting in place the mechanisms for free flow of information and ideas so that people can access them without asking for it. People are thus empowered to make proper choices for participation in development process.

The efforts made thus far to disseminate information and knowledge through the use of communication technologies such as print media, radio and television as well as internet, have yielded positive results. Sharing of Information, for instance, about the new techniques of farming, health care facilities, hazards of environmental degradation, opportunities for learning and earning, legal remedies for combating gender biases, etc., have made significant contributions to the well being of poor people"

17) Mr. Ansari has, in the aforesaid article, ably demonstrated that RTI can be used as a tool, amongst others, to:

(a) facilitate effective delivery of socio-economic services which may lead to poverty alleviation,

(b) create conditions for accountability of public servants and authorities insofar as effective implementation of social security and food security programmes are concerned. It may include implementation of NREGA, mid-day meals for school children, integrated child development scheme, grant of food security and pension for the poor senior citizens, etc.

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(c) ensure that there is a proper and effective delivery of services under subsidised schemes like public distribution system and shelter for poor:

(d) promote participatory governance;

(e) empower of weaker sections; and

(f) aid environmental protection.

18) There is a definite link between right to information and good governance. In fact, the RTI Act itself lays emphasis on good governance and recognises that it is one of the objective which the said Act seeks to achieve. The RTI Act would reveal that four major elements/objectives required to ensure good governance are:

(i) greater transparency in functioning of public authorities;

(ii) informed citizenry for promotion of partnership between citizens and the Government in decision making process:

(iii) improvement in accountability and performance of the Government; and

(iv) reduction in corruption in the Government departments

19) The right to information, therefore, is not only a constitutional right of the citizens but there is now a legislation in the form of RTI Act which provides a legal regime for people to exercise their fundamental right to information and to access information from public authorities. The very preamble of the Act captures the importance of this democratic right which reads as under:

“.....democracy requires an informed citizenry and transparency of information which are vital to its functioning and also to contain corruption and to hold Governments and their instrumentalities accountable to the governed.”

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19. It is also appropriate to mention the judgment passed by the Hon'ble Supreme Court of India in CIVIL APPEAL NOS. OF 2022 (@ Special Leave Petition (Civil) Nos. 2969-2970 of 2021) Narayana Medical College Versus The State of Andhra Pradesh & Ors. **in which it is clearly mentioned that Education is not the business to earn profit.** The relevant portion of the said judgment is as follows.-

"5. As observed hereinabove no error has been committed by the High Court in quashing and setting aside G.O. dated 06.09.2017 enhancing the tuition fee for the private medical colleges. The Government of Andhra Pradesh on the representations made by the private medical colleges enhanced the tuition fee for private medical colleges though the revision of fees was pending consideration with the AFRC. The State Government enhanced the tuition fee exorbitantly to Rs. 24 lakhs per annum which was seven times the fee fixed earlier. Once the State Government enacted the Rules, 2006 which provides determination and fixation and the review of the tuition fees by the AFRC, the State Government was bound by the Rules, 2006 and could not have enhanced the fee during the review pending with the AFRC. To enhance the fee unilaterally would be contrary to the objects and purpose of Andhra Pradesh Educational Institutions (Regulation of Admissions and Prohibition of Capitation Fee) Act, 1983 as well as the Rules, 2006 and the decision of this Court in the case of PA. Inamdar (supra). To enhance the fee to Rs. 24 lakhs per annum i.e., seven times more than the fee fixed earlier was not justifiable at all. **The education is not the business to earn profit. The tuition fee shall always be affordable.** Determination of fee/review of fee shall be within the parameters of the fixation rules and shall have direct nexus on the factors mentioned in Rule 4 of the Rules, 2006, namely, (a) the location of the professional institution, (b) the nature of the professional course, (c) the cost of available infrastructure: (d) the expenditure on administration and maintenance, (e) a reasonable surplus required for growth and development of the professional Institution; (f) the revenue

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foregone on account of waiver of fee, if any, in respect of students belonging to the reserved category and other Economically Weaker Sections of the society. All the aforesaid factors are required to be considered by the AFRC while determining/reviewing the tuition fees. Therefore, the High Court is absolutely justified in quashing and setting aside G.O dated 06.09.2017

6. Now so far as the directions issued by the High Court to refund the amount of tuition fee collected under G.O. dated 06.09.2017 and to refund the balance amount after adjusting the fee paid pursuant to the earlier determination as per G.O dated 18.06.2011 is concerned we are of the opinion that the High Court has not committed any error in issuing such directions. The management cannot be permitted to retain the amount recovered/collected pursuant to the illegal G.O. dated 06.09.2017. The medical colleges are the beneficiaries of the illegal G.O. dated 06.09.2017 which is rightly set aside by the High Court. The respective medical colleges have used/utilized the amount recovered under G. O dated 06.09.2017 for a number of years and kept with them for a number of years. On the other hand, students paid the exorbitant tuition fee after obtaining a loan from the financial institutions/banks and paid the higher rate of interest. If at all the AFRC determines/fixes the tuition fee which is higher than the tuition fee fixed earlier, it will be always open for the medical colleges to recover the same from the concerned students, however, the respective medical colleges cannot be permitted to retain the amount collected illegally pursuant to G.O. dated 06.09.2017. Therefore, even the directions issued by the High Court to refund the amount of tuition fee collected pursuant to G.O. dated 06.09.2017 after adjusting the amount payable as per the earlier determination is not required to be interfered with.

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7. In view of the above and for the reasons stated above both the appeals fail and the same deserve to be dismissed and are accordingly dismissed, however, with cost which is quantified at Rs. 5 lakhs to be equally paid by the appellant(s) as well as the State of Andhra Pradesh (ie., Rs. 2.5 lakh by the appellant(s) and Rs. 2.5 lakh by the State of Andhra Pradesh) to be deposited with the Registry of this Court within a period of six weeks from today and on such deposit the same be transferred to National Legal Services Authority (NALSA) and Mediation and Conciliation Project Committee, Supreme Court of India (MCPC) equally."

20. It is also appropriate to mention the decision of the Hon'ble Supreme Court of India in **Thalappalam Ser. Coop. Bank Ltd. & Ors vs State Of Kerala & Ors on 7 October, 2013** in CIVIL APPEAL NO. 9017 OF 2013 (Arising out of SLP (C) No.24290 of 2012) CIVIL APPEAL NOS 9020 9029 & 9023 OF 2013 (Arising out of SLP (C) No.24291 of 2012. 13796 and 13797 of 2013 which has been passed with regard to the Cooperative Societies the relevant portion of the same is reproduced below:

"31 The RTI Act, therefore deals with bodies which are owned, controlled or substantially financed, directly or indirectly by funds provided by the appropriate government and also non-government organizations substantially financed, directly or indirectly, by funds provided by the appropriate government, in the event of which they may fall within the definition of Section 2(h)(d)(i) or (ii) respectively. As already pointed out, a body, institution or an organization, which is neither a State within the meaning of Article 12 of the Constitution or instrumentalities, may still answer the definition of public authority under Section 2(h)(d) (i) or (ii).

(a) Body owned by the appropriate government - A body owned by the appropriate government clearly falls under Section 2(h)(d)(i) of the Act.

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A body owned, means to have a good legal title to it having the ultimate control over the affairs of that body, ownership takes in its fold control, finance etc. Further discussion of this concept is unnecessary because, admittedly, the societies in question are not owned by the appropriate government.

(b) Body Controlled by the Appropriate Government A body which is controlled by the appropriate government can fall under the definition of public authority under Section 2h(d)(i). Let us examine the meaning of the expression "controlled" in the context of RTI Act and not in the context of the expression "controlled" judicially interpreted while examining the scope of the expression "State" under Article 12 of the Constitution or in the context of maintainability of a writ against a body or authority under Article 226 of the Constitution of India. The word "control" or "controlled" has not been defined in the RTI Act, and hence, we have to understand the scope of the expression 'controlled in the context of the words which exist prior and subsequent i.e. "body owned" and "substantially financed" respectively. The meaning of the word "control" has come up for consideration in several cases before this Court in different contexts. In *State of West Bengal and another v Nripendra Nath Bagchi*, AIR 1966 SC 447 while interpreting the scope of Article 235 of the Constitution of India, which confers control by the High Court over District Courts, this Court held that the word "control" includes the power to take disciplinary action and all other incidental or consequential steps to effectuate this end and made the following observations:

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"The word 'control', as we have seen, was used for the first time in the Constitution and it is accompanied by the word 'vest' which is a strong word. It shows that the High Court is made the sole custodian of the control over the judiciary. Control, therefore, is not merely the power to arrange the day to day working of the court but contemplates disciplinary jurisdiction over the presiding Judge. In our judgment, the control which is vested in the High Court is a complete control subject only to the power of the Governor in the matter of appointment (including dismissal and removal) and posting and promotion of District Judges. Within the exercise of the control vested in the High Court, the High Court can hold enquiries, impose punishments other than dismissal or removal.

32. The above position has been reiterated by this Court in Chief Justice of Andhra Pradesh and others v. LV.A. Dixitulu and others (1979) 2 SCC 34. In Corporation of the City of Nagpur Civil Lines, Nagpur and another v Ramchandra and others (1981) 2 SCC 714, while interpreting the provisions of Section 59(3) of the City of Nagpur Corporation Act, 1948, this Court held as follows:

"4. It is thus now settled by this Court that the term "control" is of a very wide connotation and amplitude and includes a large variety of powers which are incidental or consequential to achieve the powers- vested in the authority concerned....."

33. The word "control" is also sometimes used synonymously with superintendence, management or authority to direct, restrict or regulate by a superior authority in exercise of its supervisory power. This Court in The ShamraoVithal Co-operative Bank Ltd. v. KasargodePandhuraMallya (1972) 4 SCC 600, held that the word "control" does not comprehend within itself the adjudication of a claim made by a co-operative society against its members.

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The meaning of the word "control" has also been considered by this Court in *State of Mysore v AllumKaribasappa&Ors.* (1974) 2 SCC 498 while interpreting Section 54 of the Mysore Cooperative Societies Act, 1959 and Court held that the word "control" suggests check, restraint or influence and intended to regulate and hold in check and restraint from action. The expression "control" again came up for consideration before this Court in *Madan Mohan Choudhary v. State of Bihar &Ors.* (1999) 3 SCC 396, in the context of Article 235 of the Constitution and the Court held that the expression "control" includes disciplinary control, transfer, promotion, confirmation, including transfer of a District Judge or recall of a District Judge posted on ex-cadre post or on deputation or on administrative post etc. so also premature and compulsory retirement. Reference may also be made to few other judgments of this Court reported in *Gauhati High Court and another v Kuladhar Phukan and another* (2002) 4 SCC 524, *State of Haryana v. InderPrakashAnand HCS and others* (1976) 2 SCC 977, *High Court of Judicature for Rajasthan v. Ramesh Chand Paliwal and Another* (1998) 3 SCC 72, *Kanhaiyalal Omar v. R.K. Trivedi and others* (1985) 4 SCC 628, *TMA Pai Foundation and others v. State of Karnataka* (2002) 8 SCC 481, *Ram Singh and others v. Union Territory, Chandigarh and others* (2004) 1 SCC 126, etc.

34. We are of the opinion that when we test the meaning of expression "controlled" which figures in between the words "body owned" and "substantially financed", the control by the appropriate government must be a control of a substantial nature. The mere supervision or 'regulation' as such by a statute or otherwise of a body would not make that body a "public authority" within the meaning of Section 2(h)(d)(i) of the RTI Act. In other words just like a body owned or body substantially financed by the appropriate government, the control of the body by the appropriate government would also be substantial and not merely supervisory or regulatory Powers exercised by the Registrar of Cooperative Societies and others under the amount to dominating or interfering with the management or affairs of the society so as to be controlled Management

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and control are statutorily conferred on the Management Committee or the Board of Directors of the Society by the respective Cooperative Societies Act and not on the authorities under the Co-operative Societies Act

35. We are, therefore, of the view that the word "controlled" used in Section 2(h)(d)(i) of the Act has to be understood in the context in which it has been used vis-a-vis a body owned or substantially financed by the appropriate Government, that is the control of the body is of such a degree which amounts to substantial control over the management and affairs of the body.

The above said order passed by the Hon'ble Supreme Court of India is not applicable in this case as the said order has been passed related to the Cooperative Societies. But the titled case relates to the University which was constituted by enacting an Act passed by the Legislature and the Hon'ble Supreme Court of India categorically mentioned in its order, mentioned herein, that an education is not a business to earn profit.

21. It is also appropriate to mention that students play the crucial role in the future development of Society. They are the leaders, innovators and contributors to various fields in the next generation. But the institution which are providing education to the Society have the great responsibility to build the nation and also it is vital for the well-being of society as a whole. It is also a fact that the mandate of the RTI Act, 2005 is maximum disclosure with minimum exemptions. As such, the said University partake to statutory functions/public functions especially when it is not a business to earn profit in accordance with the judgment passed by the Hon'ble Supreme Court of India, mentioned herein.

22. From the above, it is evident that the said University is a body which is established or constituted by the law made by the State Legislature; therefore, there are no grounds in favor of the respondent and as such, the University is declared as 'Public Authority' and is hereby directed to appoint a Public Information Officer and First Appellate Authority, details of which be uploaded on the official website and also inform the Commission about these appointments. Also, the said University is directed to publish on its website the mandatory disclosures as per the provisions of the said Act.

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23. It is also appropriate to mention that the University Grants Commission (UGC) was enacted to make provisions for the coordination and determination of standard in University and for that purpose the said Commission has been established by the parliament. The mandate of it is to take all steps as it may think fit for the promotion and coordination university education and for the determination and maintenance of standard of teaching, examination and research in university.

The Akal University has taken the affiliation of the University from the UGC. The relevant portion of the same is as follows:

1. Short title and commencement.—(1) This Act may be called the University Grants Commission Act, 1956.

(2) It shall come into force on such date¹ as the Central Government may, by notification in the Official Gazette, appoint.

2. Definitions.—In this Act, unless the context otherwise requires,—

(a) “Commission” means the University Grants Commission established under section 4;

(b) “executive authority”, in relation to a University, means the chief executive authority of the University (by whatever name called) in which the general administration of the University is vested;

(c) “Fund” means the Fund of the University Grants Commission constituted under section 16;

(d) “member” means a member of the University Grants Commission and includes the Chairman² and Vice-Chairman];

(e) “prescribed” means prescribed by rules made under this Act;

(f) “University” means a University established or incorporated by or under a Central Act, a Provincial Act or a State Act, and includes any such institution as may, in consultation with the University concerned, be recognised by the Commission in accordance with the regulations made in this behalf under this Act.

3. Application of Act to institutions for higher studies other than Universities.—The Central Government may, on the advice of the Commission, declare, by notification in the Official Gazette, that any institution for higher education, other than a University, shall be deemed to be a University for the purposes of this Act, and on such a declaration being made, all the provisions of this Act shall apply to such institution as if it were a University within the meaning of clause (f) of section 2.

CHAPTER II

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24. The University Grants Commission (UGC) has following functions to perform:

12. Functions of the Commission.—It shall be the general duty of the Commission to take, in consultation with the Universities or other bodies concerned, all such steps as it may think fit for the promotion and co-ordination of University education and for the determination and maintenance of standards of teaching, examination and research in Universities, and for the purpose of performing its functions under this Act, the Commission may—

(a) inquire into the financial needs of Universities;

(b) allocate and disburse, out of the Fund of the Commission, grants to Universities established or incorporated by or under a Central Act for the maintenance and development of such Universities or for any other general or specified purpose;

(c) allocate and disburse, out of the Fund of the Commission, such grants to other Universities as it may deem ¹[necessary or appropriate for the development of such Universities or for the maintenance, or development, or both, of any specified activities of such Universities] or for any other general or specified purpose:

Provided that in making any grant to any such University, the Commission shall give due consideration to the development of the University concerned, its financial needs, the standard attained by it and the national purposes which it may serve;

²[(cc) allocate and disburse out of the Fund of the Commission, such grants to institutions deemed to be Universities in pursuance of a declaration made by the Central Government under section 3, as it may deem necessary, for one or more of the following purposes, namely:—

(i) for maintenance in special cases,

(ii) for development,

(iii) for any other general or specified purpose;]

³[(ccc) establish, in accordance with the regulations made under this Act, institutions for providing common facilities, services and programmes for a group of universities or for the universities in general and maintain such institutions or provide for their maintenance by allocating and disbursing out of the Fund of the Commission such grants as the Commission may deem necessary;]

(d) recommend to any University the measures necessary for the improvement of University education and advise the University upon the action to be taken for the purpose of implementing such recommendation;

(e) advise the Central Government or any State Government on the allocation of any grants to Universities for any general or specified purpose out of the Consolidated Fund of India or the Consolidated Fund of the State, as the case may be;

(f) advise any authority, if such advice is asked for, on the establishment of a new University or on proposals connected with the expansion of the activities of any University;

(g) advise the Central Government or any State Government or University on any question which may be referred to the Commission by the Central Government or the State Government or the University, as the case may be;

(h) collect information on all such matters relating to University education in India and other countries as it thinks fit and make the same available to any University;

(i) require a University to furnish it with such information as may be needed relating to the financial position of the University or the studies in the various branches of learning undertaken in that University, together with all the rules and regulations relating to the standards of teaching and examination in that University respecting each of such branches of learning;

(j) perform such other functions as may be prescribed or as may be deemed necessary by the Commission for advancing the cause of higher education in India or as may be incidental or conducive to the discharge of the above functions.

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Also, there are provisions that the consequences of failure of universities to comply with recommendation of the Commission, which are as follows:

14. Consequences of failure of Universities to comply with recommendations of the Commission.—If any University ³[grants affiliation in respect of any course of study to any college referred to in sub-section (5) of section 12A in contravention of the provisions of that sub-section or] fails within a reasonable time to comply with any recommendation made by the Commission under section 12 or section 13, ⁴[or contravenes the provisions of any rule made under clause (f) or clause (g) of sub-section (2) of section 25, or of any regulation made under clause (e) or clause (f) or clause (g) of section 26,] the Commission, after taking into consideration the cause, if any, shown by the University ⁵[for such failure or contravention,] may withhold from the University the grants proposed to be made out of the Fund of the Commission.

25. Further the University Grants Commission (UGC) empowers the following:

25. Power to make rules-

1. The Central Government may, by notification in the Official Gazette, make rules to carry out the purposes of this Act.
2. In Particular, and without prejudice to the generality of the forgoing power, such rules may provide for all or any of the following matters, namely:-
 - (a) to (d)
 - (e) the additional functions which may be performed by the Commission under clause (j) of Section 12;
 - (f) the returns and information which are to be furnished by Universities in respect of their financial position or standards of teaching and examination maintained therein;
 - (g) the inspection of Universities;
 - (h) the form and manner in which the budget and reports are to be prepared by the Commission;
 - (i) the manner in which the accounts of the Commission are to be maintained;

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(j) the form and manner in which returns or other information are to be furnished by the Commission to Central Government;

(k) any other matter which has to be, or may be, prescribed.

- 3 The power to make rules conferred by this section shall include the power to give retrospective effect from a date not earlier than the date of commencement of this Act, to the rules or any of them but no retrospective effect shall be given to any rule so as to prejudicially affect the interests of any person to whom such rule may be applicable.

26. Keeping in view the above, it is clear that the Akal University is enacted by the Act passed by the State Legislature, the presence of the State nominees in the various committees, an appointment if the Governor as visitor and is also controlled by the appropriate Government, so the said University is declared as Public Authority. The said University is further directed to appoint the PIO and the FAA and also in accordance with Section 4 of the RTI Act, 2005, the mandatory disclosure be published on the official website as per the provisions of the RTI Act, 2005.

27. Now, the issue before the Commission is whether the sought information falls under Section 2 (1) and (1) and can any directions be given to the respondent to supply the information as per the provisions of the RTI Act, 2005

Section 2(f) and 2(j) provides -

(f) "information" means any material in any form, including records, documents, memos, e-mails, opinions, advices, press releases, circulars, orders, logbooks, contracts, reports, papers, samples, models, data material held in any electronic form and information relating to any private body which can be accessed by a public authority under any other law for the time being in force

(j) "right to information" means the right to information accessible under this Act which is held by or under the control of any public authority and includes the right to----

- (i) inspection of work, documents, records,
- (ii) taking notes, extracts or certified copies of documents or records.
- (iii) taking certified samples of material
- (iv) obtaining information in the form of diskettes, floppies, tapes, video cassettes or in any other electronic mode or through printouts where such information is stored in a computer or in any other device;

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28. So far as the sought information is concerned, the respondent submitted that the record of the Society i.e. Kalgidhar Trust/Society campus at Baru Sahib, HP was destroyed/damaged due to natural calamity/cloud burst resulting into flash floods at the Kalgidhar that has caused devastation and life and property. The respondent also placed on record the said DDR i.e. dated 04.10.2022.

The relevant portion of the said DDR is as follows:

General Diary Details
(रोजनामचा का विवरण)

State (राज्य): HIMACHAL PRADESH
District (जिला): SIRMAUR

P.S. (माली): PACHHIAN

a) G.D. No. (रोजनामचा नं.): 331
b) G.D. Date (रोजनामचा दिनांक): 04/10/2022 04:34:44 PM
c) G.D. Type (रोजनामचा प्रकार): Non-Cognizable Report
d) Name of Writer and Rank (लेखक का नाम और रैंक): HC/Naoraj Sharma
e) Entry (for Officer) पंक्ति (अधिकारी के लिए): HC/Naoraj Sharma /150/
f) G.D. Subject (रोजनामचा विषय): हलनाह गुप्तान
g) G.D. Brief (रोजनामचा संक्षेप):

इस समय दर्ज है कि कलगीधर ट्रस्ट बहू साहिब की तरफ से एक पत्र प्राप्त हुआ है जिसका विवरण निम्न है To The Senior Superintendent of Police of Sirmaur Nahar, HP, Date: 30.09.2022 Ref No.: GN/KT/1/2022/812 Subject - Request to file an FIR of damage caused due to cloud burst resulting into flash floods at The Kalgidhar Trust/Society campus at Baru Sahib, HP on 25.09.2022 at 6pm Respected Sir, Please instruct your department to file an FIR regarding the natural calamity that had caused devastation and disturbance of life and property at The Kalgidhar Trust/Society Campus at Baru sahib, HP We are filling a list of items with approximation cost that has been damaged due to the above said calamity. Also we have given the list of important records that has been damaged for your information and necessary action. Thanking You. Yours Sincerely Authorised Signatory The Campus as of 30.09.2022 (Pages 5) ANNEXURE S.No. Item Qty Unit Per Unit Cost Total

S.No.	Item	Qty	Unit	Per Unit Cost	Total
1.2	Records Pertaining to Finance, Accounts, Audit	1.3	Records		
1.4	Records of Akal Food Safety and Quality Control Laboratory Society from 2020 till date	1.4	Records		
1.5	Records of taxation	1.6	Records		
1.6	Records pertaining to EPF and ESI	1.7	Records		
1.7	Records pertaining to Human Resource having personal records of all Employees	1.8	Records		
1.8	Records pertaining to barrier entry and exit points	1.9	Records		
1.9	Records pertaining to Security and Surveillance	1.10	Records		
1.10	Records pertaining to Reception/Enquiry	1.11	Original Records		
1.11	Records pertaining to Minutes of Meetings of The Kalgidhar Trust and The Kalgidhar Society	1.12	Records		
1.12	Records pertaining to Indane Gas Godown and it's licence	1.13	Records		
1.13	Records pertaining to Indian Oil Petrol Pump and it's licence	1.14	Records		
1.14	Old records pertaining to land of The Kalgidhar Trust	1.15	Documents		
1.15	Documents related to Akal Academy Cheema and Jalvinder Singh Criminal and Civil Case	1.16	Original Records, Attendance Registers, and original records pertaining to The Kalgidhar Society, Navadla, Sultanpur, PO Udaykaran pur Tehsil Puranpur Dist. Pilibhit, UP	1.17	Vehicles Registrations, Permits, Fitness Certificates
2.1	Photostat Machine	5	Nos	20,00,000	
2.2	LED Screens	2	Nos	17,000	34,000
2.3	Logitech BCC950	1	Nos	18,599	18,599
2.4	Fibre Cable Unitluba 12 core 2000 Pc	58	1,16,000		
2.5	PLBHTPE Fibre Duct 40x33mm with rope	2000	Pc	42	84,000
2.6	Coupler 40mm	20	Pc	68	1,360
2.7	Cat6 Cable Roll	10	Pc	60,000	60,000
2.8	Cat6 RJ45 Connector	10	Pc	500	5,000
2.9	CPU	81	Nos	17,574	14,23,494
2.10	Keyboard	40	Nos	1093	43,720
2.11	Mouse	60	Nos	250	15,000
2.12	LED monitor	23	Nos	4200	96,600
2.13	Printers	8	Nos	10200	81,600
2.14	Printer Multi Functioning	4	Nos	26000	1,04,000
2.15	Colour Printer	1	Nos	18500	18,500
2.16	Access Point	6	Nos	10200	61,200
2.17	UPS	37	Nos	4000	1,48,000
2.18	Scanners	4	Nos	5700	22,800
2.19	L3 Network Switch	4	Nos	69000	2,76,000
2.20	Network Switch	4	Nos	3200	12,800
2.21	Power Cables	80	Nos	150	12,000
2.22	VGA Cables	80	Nos	150	12,000
2.23	Patch Panel	1	Nos	4000	4,000
2.24	USB Printer Cables	34	Nos	200	6,800
2.25	Laptop	1	Nos	42000	42,000
2.26	Server	1	Nos	420000	4,20,000
2.27	Preliminary Damage Assessment Report of Baru Sahib Campus as of 30.09.2022	2.27			

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Intercom IPBAX DX 200 1 Nos 200000 2,00,000 2.20 Intercom IBDX 1000 ePBAX 1 Nos 881000
8,81,000 2.29 Intercom Phone 30 Nos 410 12,300 2.30 ePBAX Power Supply 1 Nos 48000 49,000
2.31 PRI Modem 2 Nos 48000 96,000 2.32 MDF Full Body Intercom 2 Nos 20000 40,000 2.33 MDF
Box distribution Point 5 Nos 10000 50,000 3 Musical Instruments 3.1 harmonium 11 Nos 8350
91,850 3.2 Special harmonium 14 Nos 30000 4,20,000 3.3 Afghani Rabab 3 Nos 24000 72,000 3.4
Mardani Rabab 2 Nos 30000 60,000 3.5 Dhruba 4 Nos 24000 96,000 3.6 Sitar 6 Nos 20000
1,20,000 3.7 Tabla 14 Nos 2500 35,000 4 Roads Replacement Cost 4.1 Removal of Debris/Soil
From Road 198062.5 Cft 17.92 35,49,260 4.2 Dressing of Bed 79225 Sft 4 3,16,900 4.3 FCC 1:4:8
Under Interlock Tiles 79225 Sft 95 75,26,375 4.4 Interlock Tiles 79225 Sft 98 77,84,050 4.5 Soso
Drain/Curv Stone 1200 Nos 40 48,000 4.6 Sand Below Interlock Tiles 13151.35 cft 50 6,57,568 5
Damage to Furniture, Lightings, Plumbing, Paint in 7 Buildings, 24 Floors consisting of 600+ Rooms
5.1 Removal of Debris/Soil From Buildings 497643 Cft 17.92 89,17,763 5.2 Paint Work 599512 Sft
16 95,92,192 5.3 Fire Equipment 4,67,000 5.4 Plumbing and Sewage unblocking 258 Nos 11200
28,67,200 6 3. Play Ground with Drip Irrigation system and landscaping 6.1 Play Ground At IB
School removal of Debris/Silt 92868 Sft 5 4,64,340 6.2 Park Near Sangat Building 28800 Sft 67.2
19,34,000 7 Electrical 7.1 Street lights 15 Nos 12000 1,80,000 7.2 Solar Street Light 6 Nos 15500
93,000 7.3 High Mast Light Pole 1 Nos 120000 1,20,000 7.4 Voltage Stabiliser 22 Nos 11300
2,48,600 7.5 Water Cooler 5 Nos 40000 2,00,000 7.6 Fridge 415 Ltr 3 Nos 40500 1,21,500 7.7
Fridge 300 Ltr 5 Nos 34600 1,73,000 7.8 Fridge 190 Ltr 9 Nos 13500 1,21,500 7.9 Oven 8 Nos
12000 96,000 7.10 Washing machine Fully Automatic 12 Nos 32000 3,84,000 7.11 Passenger Lifts
4 Nos 14,00,000 7.12 Electrical Panels and MCB Panel 5 Nos 242400 12,12,000 7.13 Dish Washer
Machine 1 Nos 1255000 12,55,000 7.14 AC 1.5 ton 2 Nos 33500 67,000 7.15 AC 2 Ton 2 Nos
57000 1,14,000 7.16 AC Mess Cold Storage 4 ton 1 Nos 300000 3,00,000 7.17 Electrical
Accessories 3,96,500 7.18 Electrical Cables - LT Cable Aluminium 150sqmmx4core 400 Mtr 710
2,84,000 7.19 Electrical Cables - LT Cable Aluminium 750sqmmx4core 758 Mtr 248 1,87,984 7.20
Generator - Kirloskar 250KVA 1 Nos 1687000 16,87,000 7.21 Sound System 1,70,000 7.22 Motors
of STP 4 Nos 4,67,500 7.23 Electrical Maintenance lum sum 1,87,500 7.24 Electrical Labour lum
sum 8,00,000 7.25 Boiler Motor 1 Nos 70,000 7.26 Pumping Motor and Summersible Motor
4,50,000 7.27 Monkey protection Wire system 2000 Mtr 700 14,00,000 7.28 Solar panel for Cooking
89,60,000 7.29 Solar panel for Electricity and DC cable 6,22,900 8 Construction 8.1 Retaining Wall
damage and Dangas at many sites 1300.0 Cum 950 12,35,000 8.2 Damage of RCC Wall at many
sites 1100.0 Cum 1350 14,85,000 8.3 Damage of Brick Work at many sites 90 Cum 8500 7,65,000
8.4 Damage of Plaster at many sites 1500 Sqmt 376.6 5,64,900 8.5 Water Supply Pipe of Different
dia of 8 to 10 km 2555 Mtr 1,009 25,77,244 8.6 Store Material - Shuttering Channel Plates,
Hardware, Cement, Sand, Crusher Dust, Bajri 35,65,798 8.7 Crusher machinery 4,85,000 8.8 Park
and Landscaping 6000 sft 50 3,00,000 8.9 Trees, Plants, Nursery, Flower Pots of Different Sizes
350 Nos 1400 4,90,000 8.10 Cleaning and Unblocking of Sewerage Lines 1115 Mtr 2,102 23,44,005
9 Medical Equipment 9.2 Concentrators, Cardiac Monitors, Defibrillator, Suction Machine,
Otoscope, Ophthalmoscope etc 11 Nos 8,50,000 10 Galika Equipment 3,00,000 11 Medicine Store,
2,00,000 12 Bank - 1 5,00,000 13 Post Office - 1 1,00,000 14 Plastic Dining Chairs - 600 pcs
approx 600 nos 786 4,71,600 15 Langar Equipment 19,85,000 16 Langar Utensils 9,50,000 17
Office Table 50 Nos 9000 4,50,000 18 Office and visitor Chairs - 200 pcs 200 Nos 3000 6,00,000
19 Crockery 2,00,000 20 Sofa Set 50 Nos 20000 10,00,000 21 Dining and Meeting Table 1 Nos
35000 35,000 22 Printing Press Machine 27,20,000 23 Printing Press material 34,07,000 24 Paper
RIM - 1 Hall 595 Rims 5,60,960 25 Books 17,53,000 26 Housekeeping 26.1 Garbage Bag-185 Kg
125 23,125 26.2 Harplik 196 Ltr 51 9,996 26.3 Surf Liquid 365 Ltr 109 39,785 26.4 Hand Wash Soap
1*15 954 pc 3 2,862 26.5 Broom Soft 310 pc 80 24,800 26.6 Wipper Plastic Small 269 pc 121.3
32,639 26.7 Pad 3 M Red 17 Inch 456 pc 400 1,82,400 26.8 Sterimp Liquid Freshner 250 Ltr 102
26,500 26.9 Pinoroma 366 Ltr 122 43,432 26.10 Odonil 2378 pc 14 33,292 26.11 Wipper Iron 654
pc 450 2,94,300 26.12 Urinal Screen 258 pc 20 5,160 26.13 Clip for SC Seat 654 pc 60 39,240

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Ph. 0172-2864101, Helpline 0172-2864100

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26.14 Broom Slick Small 254 pc 25 6,350 26.15 Huwa San TR4 654 Ltr 98 64,092 26.16 Urinal
Cube 254 pkl 59 14,986 26.17 Tap and Taps 365 Ltr 280 1,02,200 26.18 Nuvan 458 Ltr 900
4,12,200 26.19 Bleaching Powder 145 bags 1000 1,45,000 26.20 Table Wipper 758 pc 250
1,89,500 26.21 Room Freshnor 25 pc 98 2,450 26.22 Micro Fiber Duster 98 pc 35 3,430 26.23 Hand
Gloves L/P 18 INCH 98 pc 65 6,370 26.24 Dust Pan 68 pc 45 3,060 26.25 Mopping Cloth size 24
inch 96 pc 22 2,112 26.26 MB Can Refill 65 pc 16,560 9,750 26.27 Small Dustbin 265 pc 105 27,825
26.28 Black Mat with holes 135 pc 360 48,600 26.29 Floor Scrubber 9 pc 125000 11,25,000 26.30
Hand Scrubbing Machine 6 pc 2500 15,000 26.31 Fogging Machine 6 pc 3500 21,000 26.32 Bucket
150 Nos 236 35,400 26.33 Jet Pressure Machine 2 Nos 135000 2,70,000 26.34 Door Mats 210 Nos
293 62,580 26.35 Bamboo Broom 65 Nos 105 6,825 26.36 Spray Pump 16 Nos 275 4,400 26.37
Pesticide Sprayer 6 Nos 2850 17,100 26.38 Dustbin 100 LTR 60 pc 2500 1,50,000 26.39 Mug 350
pc 35 12,250 26.40 Toilet Brushes 150 pc 55 8,250 26.41 Under Glass Blade 35 pc 45 1,575 26.42
Under Glass Cleaner 60R 15 pc 3500 52,500 26.43 Gum Boots Water Proof 69 pairs 350 24,150
26.44 Dangri 254 pc 450 1,14,300 26.45 Drain Pump 26 pc 125 3,250 26.46 Mat Red Rubberized
900 Mtr 918 8,26,200 27 Double Bed 132 Pcs 17400 22,96,800 28 Single Bed 150 Pcs 8400
12,60,000 29 Dharam kanta Weighing Scale 1 Pcs 2,65,000 30 Stationery - Including Pen, Pencils,
Copies, Paper, rubber, Geometry, Sharpeners etc. 3,80,800 31 Four Wheeler Cars 20 Nos
35,00,000 32 Two Wheelers 30 Nos 9,00,000 33 Gumat Stall near Gurdwara 3,00,000 34 Building
and Machinery of Ghrat Chakki over Nari-Nawan Khala 3,00,000 35 Gas Cylinders 50 Nos 3300
3,00,000 36 Damage to Stocks of ARY Store 36.1 Clothing Store 21,49,165 36.2 Warehouse
1,46,550 36.3 Assets 2,50,000 37 Low Quality Mat 6000 Sq Ft 10 60,000 38 Medium Quality Mat
4000 Sq Ft 25 1,00,000 39 High Quality Mat 3000 Sq Ft 45 1,35,000 40 Bedding store - Including
Blankets, Bed Sheets, mattresses, Quilts, Pillows etc. 40.1 Mattress Normal 356 Nos 3800
13,52,800 40.2 Mattress High Quality 140 Nos 5200 7,28,000 40.3 Quilt 230 Nos 1200 2,76,000
40.4 Single Bed Sheet 378 Nos 400 1,51,200 40.5 Double Bed Sheet 189 Nos 700 1,32,300 40.6
Pillow 214 Nos 300 64,200 40.7 Blanket High Quality 456 Nos 1500 6,84,000 40.8 Blanket Normal
390 Nos 700 2,73,000 40.9 Darl 178 Nos 1200 2,13,600 40.10 Khes 389 Nos 400 1,55,600 40.11
Quilt Cover 325 Nos 400 1,30,000 40.12 Foam Mattress 2" Folding 367 Nos 600 2,20,200 41
Shuttering Plate 1' x 4' 105 Nos 2000 2,10,000 42 Shuttering Channel 2500 Rft 5,90,200 43
Shuttering Plates 2' x 4' nos. 145 Nos 6,03,200 44 Individual Families Affected Nos / And Family
Wise Expenses 43,00,000 45 Startup & Resumption Expenses From Day of incident to Normalcy
1,13,14,000 46 Damage of Fruits Plants like apple, Peach, kiwi and plum 25,00,000 47 Ration
lumpsum 25,60,000 Total (INR) 14,64,56,632 कार्यवाही पुलिस - हथ्वा आमदा पत्र को शब्द व शब्द रोजनामचा मे
टंकित किया गया आमदा पत्र से बड़ साहिव कैम्पस मे दिनांक 25-09-2022 को भारी बरसात/वर्षा से मुबलिक
14,64,56,632 रुपये का नुकसान होना पाया जा रहा है जो कुदरती तौर पर भारी वर्षा के कारण हुआ है और दिनांक 25-09-
2022 को इस घटना से सुचना थाना पर प्राप्त हुई थी जिस पर थाना से कार्यवाही SHO ASI MOTI LAL मय मुलाजमान व
SDM साहब तथा SDPO साहब राजगढ़ भी मौका पर बचाव कार्य के लिये पहुंचे थे। नुकसान बारे मे बड़साहिव प्रशासन द्वारा
नुकसान का ऑकलन किया गया है जो मुबलिक 14,64,56,632 रु० बताया गया है अतः रिपोर्ट दर्ज की जा कर नकल रपट पत्र
देहिन्दा को अपने तौर पर अग्रिम कार्यवाही करने के लिये निशुल्क दी जा रही है। रपट दर्ज है।

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29. However, the appellant claimed that the case for processing gratuity deductions and financial recovery concerning the appellant was processed in December 2023. Now the issue in case the said record was flashed out then how under which condition any gratuity deductions and financial recoveries were affected in 2023 that pertains to the period prior to the date of lodging the DDR.

30. Accordingly, the **respondent PIO is directed to place on record the following:**

- (1) The complete file concerning the recoveries and gratuity deductions done in 2023 from the appellant and in case no such deductions/recoveries were affected then an affidavit, duly sworn, be filed in this regard.
- (2) The **Chief Finance & Accounts Officer** had been appointed by the University as per the provisions of the Act under which the University was enacted, is directed to file an affidavit, duly sworn,
 - i) that the record of the University was placed at Kalgidhar Trust/Society campus at Baru Sahib, Himachal Pardesh and no record was kept in the University Campus, Talwandi Saboo, District Bathinda.
 - ii) that the record i.e. the salary bills of 2015 to October 2021 which was paid to Dr. Ramandeep Kumar, appellant has been destroyed and nothing is available in the University Campus related to the said period.
 - iii) that no financial obligation, related to any department i.e. Income Tax department, EPF, ESI, no record was submitted to the said Departments that relates to July 2015 to October 2021 after lodging the DDR on 04.10.2022.

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31. As such, the **Chief Finance & Accounts Officer, Akal University** is impleaded as a necessary party in this case to make the submissions as enumerated above, to take the matter to its logical end. Also, the Registrar, Akal University is directed to deliver a copy of this order to the concerned Chief Finance & Accounts Officer (by name) under intimation to the Commission.

32. It is further clarified that in case of absence or non-submission of the documents, as above, the presence of the Chief Finance & Accounts Officer/PIO-cum-Registrar will be procured by issuing '**Bailable Warrants**' through the Senior Superintendent of Police concerned.

33. To come up on **14.10.2026 at 11:30 A.M. at Chandigarh.**

Dated: 06.08.2026

(Inderpal Singh)
Chief Information Commissioner,
Punjab

CC:

Chief Finance & Accounts Officer (by name)
Akal University, Talwandi Saboo
District Bathinda

Encl. RTI application