

IN THE HIGH COURT OF PUNJAB AND HARAYANA AT CHANDIGARH
104

Date of decision: 02.07.2018

CWP-15027-2018

STATE PUBLIC INFORMATION OFFICER & ANR

...PETITIONERS

VS.

STATE INFORMATION COMMISSION, HARYANA & ANR

...RESPONDENTS

CWP-15020-2018

STATE PUBLIC INFORMATION OFFICER AND ANOTHER

...PETITIONERS

VS.

STATE INFORMATION COMMISSION, HARYANA AND ANOTHER

...RESPONDENTS

CWP-15030-2018

STATE PUBLIC INFORMATION OFFICER AND ANOTHER

...PETITIONERS

VS.

STATE INFORMATION COMMISSION, HARYANA AND ANOTHER

...RESPONDENTS

CWP-15033-2018

STATE PUBLIC INFORMATION OFFICER AND ANOTHER

...PETITIONERS

STATE INFORMATION COMMISSION, HARYANA AND ANOTHER

...RESPONDENTS

CWP-15062-2018

STATE PUBLIC INFORMATION OFFICER AND ANOTHER

...PETITIONERS

VS.

STATE INFORMATION COMMISSION, HARYANA AND ANOTHER

... RESPONDENTS

CWP-15137-2018

STATE PUBLIC INFORMATION OFFICER AND ANOTHER

...PETITIONERS

VS.

STATE INFORMATION COMMISSION, HARYANA AND ANOTHER

CWP-15142-2018

STATE PUBLIC INFORMATION OFFICER AND ANOTHER
...PETITIONERS
VS.
STATE INFORMATION COMMISSION, HARYANA AND ANOTHER
...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Puneet Gupta, Advocate,
for the petitioners.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioners have approached this Court impugning the orders dated 24.01.2018 passed by the State Information Commission, Haryana, vide which the appeal preferred by respondent No. 2 seeking information through an application dated 19.04.2017, which was declined by the SPIO of the petitioner and subsequently by the Appellate Authority as well, has been allowed.

It is the contention of the learned counsel for the petitioners that the order, which has been impugned before this Court, is in violation of Section 8 of the Right to Information Act, 2005 as third party information is being sought by respondent No. 2, which cannot be granted/supplied to the applicant-respondent No. 2. He further states that the State Information Commissioner has made the observations against the SPIO without coming to a firm conclusion that there has been any lapse on the part of the SPIO. Directions have also been issued to the respondents to provide the information and to appoint some new SPIO to deal with the cases of the appellant. He, thus, contends that the impugned order cannot be accepted being violative of the provisions of the Right to Information Act.

I have considered the submissions made by the learned counsel

for the petitioner and do not find any substance in the submissions, as have been made by the counsel for the petitioner.

A perusal of the application would show that the information, which has been sought by respondent No. 2, is based purely on the documents. The information, which is being sought, is also based upon the record, which is available to the department. The impugned order, in any case, calls upon the respondents to appoint a different SPIO than the persons referred to in the order to deal with the application of respondent No. 2. The observations, as have been made which have been objected to by the counsel for the petitioners against the SPIO in the impugned order, are based upon the apprehensions and it is only with an intention that there is no prejudice caused while deciding the application preferred by respondent No. 2 under the Right to Information Act, which cannot be said to be of such a nature which, in any manner, reflects upon the conduct of the SPIO. The order, as has been passed by the State Information Commissioner, Haryana, dated 24.01.2018, does not violate any of the provisions of the Statute and, therefore, this Court, in exercise of its supervisory/superintending powers, does not find these cases to be fit to exercise its extraordinary jurisdiction in these matters.

The writ petitions, therefore, stand dismissed.

July 02, 2018

pj

**(AUGUSTINE GEORGE MASIH)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No