

**IN THE HIGH COURT OF PUNJAB AND HARAYANA AT CHANDIGARH
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**LPA-271-2022 &
CM-688-LPA-2022**

Date of decision: 02.04.2022

DILBAG SINGH

..APPELLANT

Vs.

THE PUNJAB STATE INFORMATION COMMISSION AND ORS

..RESPONDENTS

***CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR. JUSTICE SANDEEP MOUDGIL***

**Present: Mr. Joginder Sharma, Advocate,
for the appellant.**

AUGUSTINE GEORGE MASIH, J.(ORAL)

LPA-271-2022

Prayer in this appeal is to set aside the order dated 30.09.2021 passed by the learned Single Judge, whereby the writ petition preferred by the petitioner (appellant herein) challenging the order dated 24.05.2021 passed by the Punjab State Information Commission in the second appeal, has been dismissed by accepting the order passed by the Punjab State Information Commission, to be in accordance with law.

It is the contention of the learned counsel for the appellant that the appellant is a Journalist and, therefore, interested in knowing the outcome of the order dated 02.11.2017 (Annexure P-3) passed by this Court in a petition preferred by one Smt. Anita Rani, whereby directions were issued to the Senior Superintendent of Police, Jalandhar (Rural) to decide the representation dated 23.10.2017 preferred by her by passing a speaking

order within a period of three weeks from the date of receipt of certified copy of the order.

The request of the appellant for grant of information under the Right to Information Act, has been denied by the office of the Senior Superintendent of Police, Jalandhar (Rural) by stating that the said information cannot be supplied as it relates to third party information.

The said order was challenged in the appeal within the department which also failed resulting in filing the second appeal before the Punjab State Information Commission, which had also not agreed with the claim of the appellant.

It is further contention of the learned counsel for the appellant that the appellant being a Journalist is interested in knowing the fate of the case as also the order, which has been passed by this Court and for that purpose, has sought information under the Right to Information Act. Any order, which is passed by the Senior Superintendent of Police being a public authority, falls within the domain of 'public document' and, therefore, has to be supplied under the Right to Information Act.

This contention of the learned counsel for the appellant cannot be accepted in the light of the provisions, as contained under Section 8 (1) (j) of the Right to Information Act, which bars information relatable to third party without the consent of the said party. The said provisions have been invoked by the authorities as well as the learned Single Judge for declining the information which has been sought by the appellant.

We do not find any ground for taking a different view from the one which has been taken by the authorities under the Right to Information Act as also the learned Single Judge as the statutory provisions are clear and

specific in this regard without there being any ambiguity that the third party information cannot be supplied without the consent of the said party. Even if an order, which is passed by the public authority, it does not fulfil the mandate for supplying such an order to an applicant under the Right to Information Act, the said information can be denied to the said person.

The present appeal being devoid of merit stands dismissed.

CM-688-LPA-2022

In view of the dismissal of the main appeal, the present application has been rendered infructuous and the same is disposed of as such.

**(AUGUSTINE GEORGE MASIH)
JUDGE**

**(SANDEEP MOUDGIL)
JUDGE**

**2nd April, 2022
pj**

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No