

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,

Sector 16, Chandigarh.

Ph: 0172-2864113, Helpline No. 0172-2864100

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Sh. Manjit Singh(9855380484)

S/o Sh. Malkeet Singh

R/o Khatikaan Wali Gali,

Near Railway Station,

Rampura Phul, Distt. Bathinda

Complainant

Versus

Public Information Officer

O/o Phul Bar Association, Distt. Bathinda

Respondent

Complaint case No.: 281 of 2023

Hearing through CISCO Webex

Present:

Complainant: Sh. Manjit Singh

Respondent: Sh. Rupinder Garg, Advocate (9060700017)

ORDER

1. The RTI application dated 11.3.2023 vide which the complainant has sought information as enumerated in his RTI application. A complaint is filed in the Commission on 3.5.2023 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act). Notice of hearing was issued to the parties for hearing for 6.6.2023 through CISCO WEBEX application.
2. In today's hearing both the parties are present.
3. The complainant states that he filed RTI application dated 11.03.2023 but no response from the respondent PIO.
4. The respondent Sh. Rupinder Garg, Advocate states that the Bar Association does not cover under RTI Act, 2005. He further adds that the Bar Association is not established or constituted by any Act or Legislature of the Parliament or by any law of the State Legislature. Moreover, the Bar Association is not at all financed or controlled by the appropriate Govt. in any manner since the time of its incorporation. He adds that an email dated 04.06.2023 has also been sent to the undersigned Bench in this regard, which is received and taken on record.
5. After hearing both the parties, it is brought to the notice of both the parties that Central Information Commission has ruled that Bar Association are constituted under a law made by Parliament, i.e., the Advocate Act, 1961 and hence they come under the purview of the RTI Act.
6. As per decision of the Central Information Commission passed on 17.03.2016 in the following cases:

- CIC/SA/A/2015/001262
- CIC/SA/A/2015/001263
- CIC/SA/A/2015/001264
- CIC/SA/A/2015/001265

The bar council is a statutory body constituted under Advocates Act, 1961 to protect ethical standards of advocates and admonish the members for misconduct. The information about this core function of Bar Council cannot be denied to the appellant as it does not attract any exemption under RTI Act.

7. A link of the above decision of Central Information Commission is shared with the respondent, Sh. Rupinder Garg during the hearing by the undersigned Bench through whatsapp on mobile number 9060700017.

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8. Accordingly, respondent PIO is directed to go through the above mentioned decision of the Central Information Commission and file a reply by the next date of hearing to the Commission, so that case could be concluded.
9. Both the parties are advised to represent this case in person on the next date of hearing, failing to which, appropriate order in their absence shall be passed.
10. To come up on **27.07.2023 at 11:00 A.M. through CISCO-Webex** (Video Conferencing application). Copy of the order be sent to the parties.
(Steps to use CISCO WEBEX: Install CISCO Webex->Click on Join Meeting->Enter Meeting Number 1582933632).

Date: 6.6.2023

(Anumit Singh Sodhi)
State Information Commissioner
Punjab