

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 2543 of 2014**

Brijraj Purohit, S/o. Late Shri Gadadhar Purohit, Aged About 63 Years,
Retired Employee, R/o. Khatkhathi, Post Basna, District Mahasamund,
Chhattisgarh.

---- Petitioner**Versus**

1. State Information Commission, Through State Information Commissioner,
Raipur, District Raipur, Chhattisgarh.
2. District Education Officer & Information Officer, Mahasamund, District
Mahasamund, Chhattisgarh
3. Assistant Information Officer & Principal Govt. Girls Higher Secondary
School, Basna, District Mahasamund, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Manoj Kumar Jaiswal, Advocate
For Respondent No.1	:	Mr. Shyam S. Tekchandani, Advocate
For Respondents No.2 & 3:		Mr. Sudhir Sahu, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****13.08.2019**

1. The present petition is against the order dated 17.01.2014 passed by the Information Commissioner whereby the second appeal preferred by the petitioner was dismissed.
2. It is contended on behalf of the petitioner that the petitioner has sought information with respect to payment of salary, arrears and different payments made periodically, which the respondent No.2 should have supplied. It is stated that the order of the Commissioner is bad in law as the requirement as was made was not within the ambit of denial, therefore, the present petition may be allowed.
3. Per contra, learned counsel for the respondents opposes the argument and submits that the order passed by the appellate authority is well merited, which do not call for any interference.

4. Heard learned counsel appearing for the parties and perused the documents filed along with the petition.
5. The petitioner by Annexure P-2 sought information with respect to the calculation of bill, payment made to him for salary from his date of appointment, arrears of salary the petitioner stood retired. Along-with the information sought, he sought information in respect of similar facts of one S.K.Sahu & D.M.Pradhan. The said information was supplied to him by the Respondent No.2, District Education Officer by Annexure P-6 on 13.03.2013, which purports that in respect of B.R.Purohit who is retired teacher and was informed that the enquiry was made by the Officers of the Treasury & Pension and thereafter after their approval the payments were made as also the arrears was paid. It was further stated that payments of arrears of Rs.2899/- was paid on 19.06.2012. With respect to information sought for S.K.Sahu, it was reported that this documents are not available and in respect of D.M.Pradhan the information was made that the entire payments were made after examination of records. The documents would show that being not satisfied with information first appeal was filed which was dismissed and having not satisfied the second appeal was preferred and the order of the second appeal is under challenge.
6. Perusal of the impugned order dated 17.01.2014 would show that during the course of enquiry, the petitioner admitted that he has received the required information, however, he has submitted that information and calculation so made are not correct, therefore, he wanted the redressal.
7. Section 2(f) of the Right to Information Act, 2005 defines as under :

“2(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;*

8. Perusal of the order would show that the petitioner wanted to raise the argument about the authenticity of the calculation, therefore, it was not touching any information, which pertains to records. If the petitioner was not satisfied with the calculation so made then the same cannot be covered within the definition of information and he has to seek. It is a separate redressal for which the petitioner may have a separate claim & forum.
9. In view of the above, the petition has no merit and accordingly is dismissed.

Sd/-
Goutam Bhaduri
Judge