

PUNJAB STATE INFORMATION COMMISSION
RED CROSS BUILDING, SECTOR-16, MADHYA MARG, CHANDIGARH
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Sh. Sucha Singh,
S/o Sh. Rajinder Singh,
VPO- Jasrur, Block-Chogawan,
Tehsil-Ajnala, District-Amritsar.

Appellant

Versus

Public Information Officer,
O/o Deputy Registrar,
Co-operative Societies, Amritsar.

First Appellate Authority,
O/o Registrar,
Co-operative Societies,
Bays Building, Sector-17-D, Chandigarh.

Respondents

Appeal Case No.547/2019

| Date of RTI Application | Date of Reply, if any of SPIO | Date of First Appeal made, if any | Date of order, if any of FAA | Date of Second Appeal/ Complaint |
|-------------------------|-------------------------------|-----------------------------------|------------------------------|----------------------------------|
| 11.10.2018 | Nil | 27.11.2018 | Nil | 29.01.2019 |

Present: Appellant- None.
Respondents- None.

Order

The Commission has made following observations on:

04.06.2019

"The case is committed to the Double bench by CIC on the request of Ld.

State Information Commissioner, Ms. Preety Chawla vide order dated 08.04.2019. The appellant has sought to know the details of the farmers to whom the loans given by the society namely the Jasraur Cooperative Agriculture Service Society, Jasraur, have been waived by the Government under 'Karja Mukti Scheme'. The respondents are absent and have taken a stand of their not being a public authority. The Commission is not inclined to accept it. Public funds are involved in the Govt. policy under which the loans to the marginal farmers had been waived. The respondents are directed to provide information to the appellant within 15 days failing which, the penal consequences shall follow."

The case has come up today. Sh. Palwinder Singh, Deputy Registrar,

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Appeal Case No.547/2019

Cooperative Societies, Amritsar, states that the information relating to waiver of crop loans has already been sent to him. The respondents further add that the appellant is seeking information about personnel matters of an employee of the society, which is not a public authority in terms of the provision of section 2(h) of RTI Act, 2005. This particular information according to them is not under their control. The Commission is inclined to accept this version of respondents in part. However, the information concerning public funds should be sent to the appellant by registered post under intimation to the Commission.”

The case was reserved for order to be pronounced today. The respondents in compliance with the directions passed on 06.08.2019 had provided the information concerning the beneficiaries of the government's scheme of loan waivers to the farmers. As already observed the Society in consideration is a private entity, which is not under the direct control of the government, nor it has received any financial assistance much less substantially from the government. In the scenario, it does not qualify to be a public authority under Section 2 (h) of the Right to Information Act. The information sought relating to its employees as such cannot be enforced to be divulged. The appeal is **decided** accordingly.

Disposed.

| | | |
|-------------------|---|---------------------------------------|
| 22.10.2019 | Sd/- | Sd/- |
| | (Preety Chawla) | (Yashvir Mahajan) |
| | State Information Commissioner | State Information Commissioner |
| CC: | PS/SIC (Smt. Preety Chawla) for the kind information of Ld. SIC. | |

