

**BEFORE THE REGISTRAR OF CO-OPERATIVE SOCIETIES – CUM – FIRST APPELLATE
AUTHORITY UNDER THE RIGHT TO INFORMATION ACT, 2005.**

First Appeal No.2/2024

Present : Thiru. S.YESVANTHAIYAH

Registrar of Co-operative Societies–cum-First Appellate Authority.

V. Dinakaran,
S/o.Venu (Late)
No.7, Guberan Nagar,
Murungapakkam, Mudaliarpeta (Post),
Puducherry – 605 004.

> >>>> Appellant

Vs

- 1] The Deputy Registrar (Audit)-cum-Public Information Officer,
Co-operative Department,
Puducherry.
- 2] The Deputy Registrar-cum-Public Information Officer,
Office of the Deputy Registrar of Co-operative Societies,
Karaikal.
- 3] The Deputy Registrar-cum-Public Information Officer,
Office of the Deputy Registrar of Co-operative Societies,
Mahe.
- 4] The Co-operative Officer-cum-Public Information Officer,
Office of the Deputy Registrar of Co-operative Societies,
Yanam.

>>>>> Respondents

ORDER

(Issued under Section 19 of the Right to Information Act, 2005)

The appellant submitted an application dated 19.03.2024, under Section 6 of the Right to Information Act, 2005, (hereafter "the Act") to the 1st respondent and sought for certain information. The 1st respondent transferred the appellants' request in form-I under Section 6(3) of the RTI Act, 2005 to the 2nd, 3rd & 4th Respondents vide letter dated 22.03.2024. The respondents 1,2,3 & 4 have furnished reply directly to the appellant vide their letters dated 22.04.2024, 28.03.2024 & 02.04.2024 respectively. The 4th respondent transferred the appellants' request in form-I under Section 6(3) of the RTI Act, 2005 to the Yanam Public Servants' Co-operative society Ltd., vide letter dated 08.04.2024. The said society furnished the available inform to the appellant vide letter dated 18.04.2024.

2. Aggrieved by the response of the respondents 1, 2 & 3, the appellant filed this first appeal dated 24.05.2024 on the ground that, the reply received was not satisfactory.

3. The response of the respondents were called for, vide notice dated 28.05.2024. The 1st respondent has furnished his response vide letter dated 11.06.2024 (**Copy Enclosed**). It is stated therein that, 'the appellant / applicant's request in form-I dated 19.03.2024 received by this office on 20.03.2024 seeking information pertains to the Public Servants Co-operative Societies in the U.T. of Puducherry. Hence, a copy of Form-I was transferred under Section 6(3) of the RTI act, 2005 to the Regional Officers in Karaikal, Mahe and Yanam for disposal vide letter dated 22.03.2024. Further a copy of Form-I was also forwarded to the Planning section, Arbitrator and the Sale Officer for furnishing information in accordance with the provisions of the Act vide I.D. Note dated 22.03.2024. The information received from the said sections are furnished to the applicant vide letter dated 22.04.2024'.

4. The 2nd respondent has furnished his response vide letter dated 06.06.2024 (**Copy Enclosed**). It is stated therein that, the Public Servants Co-operative Societies do not come under the definition of "Public Authority" as defined under section 2(h) of the Right to Information Act 2005 and also as per the Circular No.RCS/CLC/SFCS/2014/172, dated 23/12/2014 of the Registrar of Cooperative Societies, Puducherry. Hence the relevant reply was sent to the appellant/applicant on 28.03.2024 vide this Office Letter No.7/DR/KKL/C/RTI/2024/2, dated.28.03.2024.

5. The 3rd respondent has furnished his response vide letter dated 06.06.2024 (**Copy Enclosed**). It is stated therein that, the information sought by the applicant pertaining to the Public Servants Cooperative Societies are not available in this office. Further, the Public Servants Cooperative Societies do not come under the definition of Public Authority" as defined under section 2(h) of the Right to Information Act 2005 and also as per the Circular No, RCS/CLC/SFCS/2014/172, dated, 23.12.2014 of the Registrar of Cooperative Societies, Puducherry. Therefore, required Reply was sent to the appellant/applicant on 02.04.2024 vide this Office Letter No.Coop./Mhe/C/II/11/2019/136, dated 02.04.2024.

6. On perusal, it is observed that the 1st Respondent have already furnished the available information received from the Deputy Registrar (Planning) in respect of Sl.Nos.1,2,3,4 and 7,8,9,10 as well as from the Arbitrator for Sl.No.5 and from the Sale Officer for Sl.No.6, as sought in the RTI application dated 19.03.2024 to the appellant vide letter dt.22.04.2024 and the same was reiterated by the 1st Respondent vide their letter dated 11.06.2024. Further, it is observed that, the Public Servants co-operative Societies in the Union Territory of Puducherry would not be a Public Authority, in view of the Registrar of Co-operative Societies Circular No.RCS/CLC/SFCS/2014/72 dt.23.12.2014, in as much as, these societies did not receive any financial assistance from the Government.

7. In view of the reasons stated above, the appeal lacks merits, and hence, dismissed.

8. If aggrieved by this decision, a 2nd Appeal may be filed, under Section 19(3) of the Act, within 90 days, with the 2nd Appellate Authority, whose address is given below:

Central Information Commissioner
Room No.305.II Floor, "B" Wing, August Kranti Bhavan
Bhikaji Cama Place, NEW DELHI-110 066.

Dated at Puducherry on the 9th day of July 2024.



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(S.YESVANTHAIYAH)
Registrar of Cooperative Societies
-cum- First Appellate Authority

Encl : As Stated.

To:

1. The Appellant
2. The Respondents.
3. The Web Editor, Cooperative Dept., Puducherry.
4. Stock File 2024.

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