

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

**First Appeal No.6 /2023**

**Present : Thiru. S.YESVANTHAIYAH**

Registrar of Cooperative Societies–cum-First Appellate Authority.

V. Iyyanarappan,  
S/o. Viswanathan,  
No.17, Pulavar Street, Thilarshpet  
Puducherry – 605 009.

> >>>> Appellant

Vs

- 1] The P.I.O-Cum-Deputy Registrar (Audit)  
Co-operative Department,  
Puducherry.
- 2] The Managing Director -cum- Public Information Officer,  
The Pondicherry State Co-operative Bank Ltd., P. No.259,  
Head office, No.204, East-coast Road,  
Olandaikerapalayam, Mudaiarpet Post,  
Puducherry – 605 004.

> >>>> Respondents

**ORDER**

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

The appellant submitted an application dated 03.05.2023, under Section 6 of the Right to Information Act, 2005, (hereafter “the Act”) to the 1<sup>st</sup> respondent and sought for certain information (Sl. Nos.1 to 18). The 1<sup>st</sup> respondent furnished a reply to Sl. Nos. 1, 17 & 18 vide letter 29.05.2023 and transferred the application under Section 6(3) of the Act to the Managing Director-cum-PIO, The Pondicherry State Co-operative Bank Ltd., (2<sup>nd</sup> Respondent) for furnishing the remaining information except for Sl.nos.1,17 & 18 on 09.05.2023. The 2<sup>nd</sup> respondent bank furnished a reply on 18.05.2023 stating that, the respondent bank could not furnish the information sought since the bank is not covered under Right to Information Act, 2005 as per Supreme Court of India's Order SLP [C] No.24291 of 2012, 13796 & 13797 of 2013 dated 7.10.2013 and as per the Circular No.RCS/CLC/SFCS/2014/172 dt. 23.12.2014 of the Registrar of Co-operative Societies, Puducherry and as per clause 8(1)(d)(j) of the Act.

2. Aggrieved by the response of the respondents, the appellant filed this first appeal dated 26.05.2023 with a plea that, the respondents should be directed to furnish the information as sought in his RTI application dated 03.05.2023. The response of the respondents were called for, vide notice dated 31.05.2023.

3. The 1<sup>st</sup> respondent furnished their response vide letter dated 02.06.2023, wherein it is stated that, the copy of the appellant / applicant's request in Form-1 dated 03.05.2023 was forwarded to the Credit, Handlooms & Accounts Section of this department for furnishing information to the Sl.Nos.1 17 & 18 on 09.05.2023 and the reply received from the said sections were furnished to the appellant on 29.05.2023. Further, appellant / applicant's request in Form-1 dated 03.05.2023 was transferred under Section 6(3)(i) of the Right To Information Action, 2005, to the Managing Director-cum-PIO, The Pondicherry State Co-operative Bank Ltd., on 09.05.2023 for furnishing the remaining information except Sl.Nos.1,17 & 18, directly to the appellant.

4. The 2<sup>nd</sup> respondent has furnished their response vide letter dated 09.06.2023, wherein they have reiterated their stand as stated in their earlier reply letter dated on 18.05.2023. They once again submitted that the respondent bank could not furnish the information sought since the bank is not covered under Right to Information Act, 2005 as per Supreme Court of India's Order SLP [C] No.24291 of 2012, 13796 & 13797 of 2013 dated 7.10.2013 and as per the Circular No.RCS/CLC/SFCS/2014/172 dt. 23.12.2014 of the Registrar of Co-operative Societies, Puducherry and as per clause 8(1)(d)(j) of the Act.

5. On perusal of the response of the respondents, as well as the application made by the appellant in his Form I, dated 09.05.2023, It is found that the information sought by the appellant is found to be in question format i.e., yes or no format, on hypothetical nature, queries etc., As per the Act, if the concerned organisation is declared as Public Authority, then it is the bounded duty of them to furnish the available information only. But, the Act didn't enforce them to furnish information which is raised/sought in the form of question, query, and hypothetical nature. It is not open to an appellant to ask, in the guise of seeking information, questions to the public authorities about the nature and quality of their actions. Then, the Act does not cast on the public authority any obligation to answer queries, as in this case, in which the appellant attempts to elicit answers to his questions (**CIC Decision File.No.CIC/AT/A/2006/00045 Dated 21.04.2006**). Thus, the reply made by the respondent-bank in this appeal is upheld. It is also found that the 1<sup>st</sup> respondent furnished the available information.

6. In view of the above, as nothing survives in this appeal, this first appeal is dismissed.

7. If aggrieved by this decision, a 2<sup>nd</sup> Appeal may be filed, under Section 19(3) of the Act, within 90 days, with the 2<sup>nd</sup> 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 5<sup>th</sup> day of July 2023.



1/6

(S.YESVANTHAIYAH)

Registrar of Cooperative Societies-  
cum- First Appellate Authority

To:

1. The Appellant
2. The Respondents.
- ✓ 3. The Web Editor, Cooperative Dept., Puducherry.
4. Stock File 2023.