

Before the Registrar of Co-operative Societies-cum-First Appellate Authority

Under the Right to Information Act, 2005.

First Appeal No.18/2021

K.Ravikumar,
45, Selvaganapathy Nagar,
Ariyankuppam,
Puducherry - 605 007.

>>>> Appellant

Vs

The President --cum-
Public Information Officer,
The Pondicherry Health Employee's Co-op.
Housing Society Ltd., P.533,
262, Maraimalai Addigal Salai,
Arunthdathi Nagar, Puducherry.

>>>> Respondent

ORDER

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

The appellant submitted an application dated 30.08.2021, under Section 6 of the Right to Information Act, 2005, (hereafter " the Act") to the respondent and sought for certain information . The respondent furnished reply dated 27.09.2021 to the appellant, stating that the said society is not covered under the Act.

2. Aggrieved by the respondent's response, stating that the required information was not furnished, the appellant filed this first appeal dated 18.10.2021.

3. The response of the respondent was called for. The respondent- society furnished its response vide letter dated 12.11.2021, (**copy forwarded to the Appellant**) stating that "the society does not fall under the definition of "Public Authority" as defined under Section 2(h) of the Act and as per the circular No. RCS/CLC/SFCS/2014/172 dt 23.12.2014 of the Registrar of Co-operative Societies, Puducherry, the appellant was informed about the same vide letter dated 27.09.2021."

4. On perusal, it is evident that, the respondent-society would not be a Public Authority in view of the RCS Circular No. RCS/CLC/SFCS/2014/72 dated 23.12.2014, which was issued on the basis of the decision of the Hon'ble Apex Court in Thalappalam Service Co-operative Bank Ltd., (Supra), whereby 260 Cooperative societies, which are substantially funded by the Government, were identified for coverage within the definition of the "Public Authorities" under Section 2(h) of the Act. It is found that the respondent-society was not included in the said circular. Therefore, the reply made by the respondent -society is uphold.

5. In view of the above, the said appeal is dismissed for lack of merits.

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

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

Dated at Puducherry on the 30th day of November, 2021



(L.MOHAMED MANSOOR)

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First Appellate Authority

To:

1. The Appellant (Along with a copy of the respondent's response dt.12.11.2021).
2. The Respondent.
- ✓ 3. The Wb Editor, Cooperative Dept., Puducherry
4. Stock File 2021