

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

First Appeal No.19 /2023

Present : Thiru. S.YESVANTHAIYAH

Registrar of Cooperative Societies–cum–First Appellate Authority.

R. Lakshmy,
No.96, Mariamman Koil Street,
Rajapalayam, Thookkanaampakkam Post,
Cuddalore District – 607 402.

> >>>> Appellant

Vs

- 1] The P.I.O-Cum-Deputy Registrar (Audit)
Co-operative Department,
Puducherry.
- 2] Deputy Registrar (Planning)
Co-operative Department,
Puducherry.
- 3] The Managing Director -cum- Public Information Officer,
The Pondicherry State Co-operative Union Ltd., P. No.259,
No.62, Suffren Street,
Puducherry – 605 001.

> >>>> Respondents

ORDER

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

The appellant submitted an application dated 17.07.2023, under Section 6 of the Right to Information Act, 2005, (**hereafter “the Act”**) to the PIO, Chief Secretariat, Govt. of Puducherry. The said application was forwarded by the Deputy Director, Elementary Education, Directorate of School Education to this office vide letter dated 04.08.2023, under copy to the appellant, for furnishing necessary reply. The said application was received by the PIO-cum- Deputy Registrar (Audit) on 07.08.2023.

2. The PIO-cum-D.R. Audit of this department (**1st Respondent**) forwarded the application to the Deputy Registrar-Planning (**2nd Respondent**) vide letter dated 24.08.2023 for furnishing information for the point nos.1,2,3,4 & 8 and the reply dated 06.09.2023 received from the said section was provided to applicant on 08.09.2023, Further, the PIO-cum-D.R. Audit of this department also transferred the application to the PIO-cum-MD, Pondicherry State Co-operative Union Ltd (**3rd Respondent**) under Section 6(3) of the RTI Act, 2005 vide letter dated 24.08.2023, with an instruction to furnish the said information directly to the appellant, since the information sought for the point nos.5,6,7,8 & 9 relates to the 3rd Respondent. It is found that the PIO-cum-M.D, PSCU did not furnished the information sought for the point nos.5,6,7,8 & 9 to the appellant.

3. Aggrieved by the non response of the PIO/M.D, PSCU (3rd Respondent), and also not satisfied with the response provided by the 2nd Respondent, the appellant filed this first appeal dated 26.09.2023, on the ground that the 2nd & 3rd respondents were wantonly deceived and malafidely denied the request for providing information well knowingly .

4. The response of the respondents were called for, vide notice dated 29.09.2023. The 1st respondent has furnished their reply vide letter dated 06.10.2023(**Copy Enclosed – Annexure A**). Both the 2nd Respondent and the 3rd respondent also furnished their reply vide letters dated 09.10.2023 and 14.10.2023 respectively. (**Copy Enclosed – Annexure B & C**).

5. On perusal, it is observed that the 1st respondent reiterated their reply made earlier to the appellant vide their letter dated 24.08.2023 and 08.09.2023. The 2nd respondent furnished their revised information pertaining to the point nos.1,2,3,4 & 8. The 3rd respondent furnished the available information for the point nos. 5,6,7,8 and 9. It is found that the information sought by the appellant are furnished by the 2nd and 3rd respondents, except the information sought by the appellant which attempted to elicit answers to the questions/queries with prefixes such as why, what, when, and whether in line with the CIC decision made in File No.CIC/AT/A/2006/00045 dated 21.04.2006. Thus, the plea of the appellant are found to be met out.

6. Further, it is also observed that the non-furnishing of the available information by the PIO/ Section Head to the applicant at the time of application itself, leads to the filing of appeal which consummate much time of the applicant as well as this office. Therefore, **the respondents are directed to meticulously adhere the provisions of the said Act, in letter and spirit, and henceforth dispose of the applications under the said Act within the stipulated time limit; failing which the respondent will be subjected to legal consequences as per the penal provisions of the said Act, including fine at the appropriate rate.**

7. In view of the above, as nothing survives in this appeal, this first appeal is 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 26th day of October 2023.



5/7 
(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 2023.