

Before the Registrar of Cooperative Societies-cum-First Appellate Authority
Under the Right to Information Act, 2005.

First Appeal No.20/2022

Present : Thiru. S.YESVANTHAIYAH

Registrar of Cooperative Societies-cum-First Appellate Authority.

A.Chellapandy,
No.21, Mariyam Nagar,
Karaikal – 609 602

> >>>> Appellant

Vs

The Managing Director -cum- Public Information Officer,
The JPCO Spinning mills Ltd., No.P.545,
Keezhamani, Neravy,
Karaikal - 609 604 .

>>>>> Respondent

ORDER

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

The appellant submitted an application dated 19-05-2022, under Section 6 of the Right to Information Act, 2005, (hereafter “the Act”) to the respondent-society and sought for certain information. The respondent-society made an reply to the respondent on 15-06-2022.

2. Aggrieved by the response of the respondent- society, the appellant filed this first appeal dated 11-07-2022, on the ground that the respondent did not furnish the reply sought .

3. The response of the respondent was called for, vide notice dated 18th July 2022. The respondent society furnished their response vide letter dated 22-08-2022. (Copy Enclosed). On perusal of the said response it is found that the respondent stated that the information requested are connected with the trade secrets and commercial confidence and it could not disclose the information requested as per RTI Act , Section 8 (1) (10) and Section 2(F). Whereas, it is observed that the information which was sought by the appellant could not be classified under the caption “trade secrets and commercial confidence”. It is found that the appellant is seeking information (SI.No.1 to 9) about the appointment made by the respondent society. Further, the respondent did not substantiated their stand how the information sought by the appellant falls under Section 2(F) of the Act as well as the caption “trade secrets and commercial confidence” i.e., the exemption clause of the Act - Section 8 (1) (4). It is also observed that the respondent society quoted certain Section of the Act for not furnishing the information but not substantiated their stand how the said defense is taken by the respondent society.

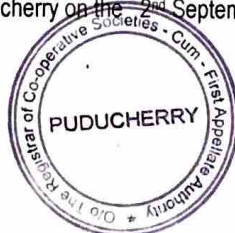
4. In view of the above, the undersigned hereby directs the respondent society to furnish the available information to the appellant in respect of the SI.Nos 1 to 9 of his application made on 19.05.2022, within fifteen (15) days from the date of receipt of this order, at free of cost.

5. With the above direction, this appeal is disposed of.

6. 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 2nd September 2022



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

To:

1. The Appellant.
2. The Respondent.
3. The Web Editor, Cooperative Dept., Puducherry.
4. Stock File 2022.