

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

First Appeal No.21/2023

Present : Thiru. S.YESVANTHAIYAH

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

K. Veerappan,
Plot No.14, Velmurugan Street,
Sivaganapathy Nagar,
Villianoor & Post, Puducherry – 605 110.

> >>>> Appellant

Vs

1. The Deputy Registrar (Audit)-cum-
The Public Information Officer
Cooperative Department
Puducherry.

2. The Deputy Registrar (Planning),
Cooperative Department
Puducherry.

> >>>> Respondents

ORDER

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

The appellant submitted an application dated 13.09.2023, under Section 6 of the Right to Information Act, 2005, (hereafter “the Act”) to the 1st respondent. The information for the same is received from the 2nd respondent vide letter dated 27.09.2023 and was furnished by the 1st respondent to the appellant on 03.10.2023.

2. Aggrieved by the response of the respondents, the appellant filed this first appeal dated 10.10.2023 stating that, the 2nd Respondent has well knowingly malafidely denied and deceived the request for providing information and the reply furnished was unbelievable and not realistic.

3. The response of the respondents were called for, vide notice dated 27.10.2023. The 1st Respondent vide letter dated 02.11.2023 (Copy Enclosed) stated that, the appellant / applicant's request for information vide his application dated 13.09.2023 was forwarded to the Planning Section on 14.09.2023 for furnishing information. The reply dated 27.09.2023 was received on 29.09.2023 from the said section stating that “the information sought for by the applicant is not available in the Planning section” and the said reply was furnished to the applicant on 03.10.2023.

4. The 1st Respondent further submitted that, in respect of the point raised by the appellant / applicant in his first appeal regarding non-transfer of application by the Public Information Officer to other sections of this department and to the PIO of the Puducherry State Co-operative Union Ltd., it is ascertained that the information sought by the appellant pertains to the two proposals submitted by the Puducherry State Co-operative Union Ltd., to the RCS and the said proposals were dealt by the Planning Section of the Co-operative Department and as such relevant information sought by the applicant is available in that section only. Hence, the appellant's application was forwarded to the Planning section of this department, for their reply.

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5. The 2nd respondent vide response dated 09.11.2023 has furnished the information for Sl. Nos. 1 & 2 and also enclosed a copy of the Letter No.5/11/1/16/RCS//PLG/A/2001/Vol.III/123, dated 15.11.2010 of the Deputy Registrar Planning (Copy Enclosed) and stated that the information sought by the applicant is furnished.

6. On perusal, it is observed that, the available information sought by the appellant is now furnished by the 2nd Respondent. i.e, the copy of the reply furnished by the DRCS (Planning) for the Puducherry State Co-operative Union's proposal letter dated 13.06.2008 & 16.10.2009 is furnished. In this regard, it is observed that, without taking appropriate steps to provide the information at the time of application made by the appellant, the 2nd Respondent has replied negatively which is found to be incorrect. If the 2nd Respondent approached the application in a right manner, this appeal could have been avoided which consumes the time of both the appellant and the undersigned. However, since the information sought by the appellant has been furnished, nothing survives in this appeal.

7. Hence, the 2nd respondent is 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.

8. With the above observation, this first appeal is disposed of.

9. 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 17th day of November 2023.




(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.