

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

First Appeal No.23 /2021

Present: Thiru. L.MOHAMED MANSOOR

Registrar of Cooperative Societies-cum-First Appellate Authority.

S.Murugasamy,
16, Muthulakshmi Nagar,
Bahagat Singh Street,
Murungapakkam,, Puducherry--605004

> >>>> Appellant

Vs

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

>>>>> Respondent

ORDER

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

The appellant submitted an application dated 20.10.2021, under Section 6 of the Right to Information Act, 2005, (hereafter "the Act") to the PIO-cum-Deputy Registrar (Audit), seeking certain information about the Puducherry Health Employees Cooperative Credit Society Ltd., No.P.475(hereafter "the society"). The respondent furnished information to the appellant vide letter dated 13.11.2021, furnishing information for Sl.No. 1 & 7 and not furnished in respect of the Sl.Nos. 2 to 6, 8, 9, since the said society is not covered under the Act.

2. Aggrieved by the respondent's response in respect of the Sl.Nos. 2 to 6, 8, 9, the appellant filed this appeal on 17.11.2021, on the ground that the reason stated by the respondent for non-furnishing the information is not correct, since the said society is covered under Section 6 the Act.

3. On perusal, it is observed that the respondent in their letter dated 13.11.2021, furnished information for the Sl. Nos. 1 & 7 which is available in the department and also stated that " the said society does not fall under the definition of "Public Authority" as defined under Section 2(h) of the Act and as per Circular no. RCS/CLC/SFCS/2014/172 dated 23.12.2014 of the Registrar of Cooperative Societies, Puducherry, the application seeking information at serial nos. 2 to 6, 8 & 9 could not be transferred to the said society and hence the said information could not be furnished.

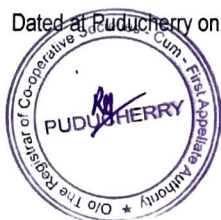
4. It is evident that the said society would not be a Public Authority in view of the RCS Circular no. RCS/CLC/SFCS/2014/172 dated 23.12.2014, which was issued on the basis of the decision of the Hon'ble Apex Court in Thalappalam Service Co-operative Bank Ltd., (Supra), whereby 260 Cooperative Societies, 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 said society was not included in the said circular. The statement made by the respondent in respect of the Sl.Nos. 2 to 6, 8, 9 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 the 2nd Appellate Authority, whose address is given below:

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

Dated at Puducherry on the 28th day of December, 2021



(L. MOHAMED MANSOOR)
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.