

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

First Appeal No.26/2024

Present: Thiru. S.YESVANTHAIYAH
Registrar of Cooperative Societies–cum–First Appellate Authority.

A. GANESHKUMAR,
State General Secretary, INTUC,
No.10, Main Road,
Surakudy, Karaikal. >>>>> Appellant

Vs

The Managing Director-cum-Public Information Officer,
Jayaprakash Narayan Co-operative Spinning Mills Ltd.,
Keezhmani, Neravy,
Karaikal – 609 604. >>>>> Respondent

ORDER

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

The appellant submitted an application dated 09.10.2024, 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 has not furnished reply within the time limit.

2. Aggrieved by the non-response of the respondent- society, the appellant filed this first appeal dated 16.11.2024 received by this office on 18.11.2024.

3. The response of the respondent was called for, vide notice dated 22.10.2024. The respondent furnished his response, vide letter dated 30.11.2024 (**Copy Enclosed**). On perusal of the records available, it is found that –

- a) In respect of Sl. Nos. 1 & 2, the respondent is found to have furnished the available information sought by the appellant.
- b) In respect of Sl.Nos.3,4,5 & 7, the respondent's reply is not found to be proper and specific. Hence, the respondent is directed to furnish the available information for .Nos.3,4,5 & 7, of Form-1 dated 09.10.2024 to the applicant, on free of cost, within 15 days from the date of receipt of this order.
- c) In respect of Sl.Nos.6 & 8, it is found that the appellant sought details about the quotations obtained for the purchase of new and old machineries whereas the respondent stated that the information requested could not be disclosed as per Section 8 (1) (4). of the RTI Act, 2005. 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”. Further, the respondent did not substantiated their stand how the information sought by the appellant falls under the caption “trade secrets and commercial confidence” i.e., the exemption clause of the Act - Section 8 (1) (4). Hence, the respondent is directed to furnish the available information for Sl.Nos.6 & 8 of Form-1 dated 09.10.2024 to the applicant, on free of cost, within 15 days from the date of receipt of this order.

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 Sl.Nos 3,4,5,6,7 & 8 of his R.T.I application made on 09.11.2024, within fifteen (15) days from the date of receipt of this order, at free of cost.

5. Further, it is found that the respondent has failed to furnish his reply within the stipulated time limit of 30 days. If the respondent furnished his reply to the appellant within the stipulated time limit of 30 days, this first appeal wouldn't be preferred by the appellant.

6. Hence, ***the 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 of 30 days; failing which the respondent will be subjected to legal consequences as per the penal provisions of the said Act.***

7. With the above directions, this appeal is disposed of.

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 19th December 2024.

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(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 2024.