

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

First Appeal No.30 / 2024

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

G.Kaliyamurthy,
No.54, Decoration Centre,
Room No.101, Market Street,
Karaikal.

> >>>> Appellant

Vs

1] The Deputy Registrar -cum- Public Information Officer,
Co-operative Department,
Puducherry.

2] The Deputy Registrar -cum- Public Information Officer,
O/o the Deputy Registrar of Co-operative Societies,
Co-operative Department,
Kamarajar Complex,
Karaikal

3] The President-cum-Public Information Officer,
Karai Kovilpathu Primary Agricultural
Co-operative Credit Society Ltd.,
Thalatheru, Karaikal – 609 605.

> >>>> Respondents

ORDER

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

The appellant submitted an application dated 24.10.2024, under Section 6 of the Right to Information Act, 2005 (hereafter "the Act") to the 1st respondent and sought for certain information. The 1st respondent transferred the application under Section 6(3) of the Act to the Deputy Registrar -cum- Public Information Officer, Co-operative Department, Karaikal (**2nd Respondent**) on 29.10.2024. The 2nd respondent furnished reply for Sl.No.1 of the Form-1 of the appellant vide letter dated 29.11.2024.

2. Aggrieved by the response of the 2nd respondent, the appellant filed this first appeal dated 10.12.2024 on the ground that, the reply received was not satisfactory.

3. The response of the respondents were called for, vide notice dated 16.12.2024. The 1st respondent, the 2nd respondent and the 3rd respondent-society have furnished their response vide letters dated 31.12.2024, 31.12.2024 and 26.12.2024 respectively (**Copies Enclosed**). On perusal, it is observed that the appellant vide his Form-1 dated 24.10.2024 has sought for the inquiry report on the inquiry conducted in Karaikovilpathu PACCS Ltd and the details of loans issued by the said society without the Registrar's permission. Hence the 1st respondent has transferred the application under Section 6(3) of the Act to the 2nd respondent on 29.10.2024. Further, now the 1st respondent has also forwarded a copy of the Form-1 to the Administrative Section (Credit Section) vide letter dated 18.12.2024 for furnishing the available information for Sl.no.1 of the Form -1. The reply received from the said section is forwarded wherein it is informed that, since the inquiry report of the Karaikovilpathu PACCS is not received from the inquiry Officer, the information sought could not be furnished to the appellant.

4. The response of the 2nd respondent dt. 31.12.2024 is perused, wherein it is found that the 2nd respondent has stated that information for SI.No.1 of the Form-1 was furnished directly to the appellant vide letter dated 29.11.2024 and had transferred the application under Section 6(3) of the Act to the 3rd respondent-society on 11.11.2024 for furnishing the information for SI.No.2 of the Form-1 directly to the appellant. But it is found that, the 2nd respondent had refused to furnish the information/ Inquiry Report sought by the appellant under SI.No.1 of his Form-1 in the light of Section 8(d) of the Act. The said reply furnished by the 2nd respondent citing Section 8(d) of the Act is not legally valid. Therefore, the 2nd respondent is directed to furnish the available information/ Inquiry Report to the applicant, on free of cost, within 15 days from the date of receipt of this order.

5. Further, the response of the 3rd respondent-society dt. 26.12.2024 is also perused, wherein it is found that the 2nd respondent-society had refused to furnish the information for sought by the appellant provoking Sections 8(d), 8(g) and 8(j) of the Right to Information Act, 2005. The said reply furnished by the 2nd respondent citing Section 8(d), 8(g) and 8(j) of the Act is not legally valid. Therefore, the 2nd respondent is directed to furnish the available information to the applicant, on free of cost, within 15 days from the date of receipt of this order.

6. Further, It is found that the 3rd respondent -society has failed to furnish its reply within the stipulated time limit of 30 days and has furnished information after the appellant came for First Appeal. 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.

7. Hence, ***the 3rd respondent-society 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.***

8. With the above directions, this 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 20th January 2025.




(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.
1. Stock File 2025.