

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

First Appeal No.22/2020

Present: Thiru L.Mohamed Mansoor

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

P.Ragupathy, 94-B, Eswaran Koil Street,
Puducherry-605009

>>>>> Appellant

Vs

The Managing Director – Cum – Public Information Officer,
The Pondicherry Wholesale Stores Ltd., M.G.Road,
Puducherry- 605001

>>>>> Respondent

ORDER

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

The appellant submitted an application dated 15-10-2020, under Section 6 of the Right to Information Act, 2005,(hereafter"the Act") to the respondent and sought for certain information.

2. Aggrieved by the respondent's non-response, even after the lapse of the statutory time limit for furnishing the said information, the appellant filed this first appeal dated 02-12-2020. However, the appellant filed another appeal on 10-12-2020, on the same subject matter stating that on 07-12-2020 the respondent sent a courier enclosing a reply dt.13-11-2020, wherein the information are denied under Sec. 8(1)(j) of the Act.

3. The response of the respondent was called for. The respondent filed his response, vide his letter dated 05-01-2021 (received on 08-01-2021), of which a copy is forwarded to the appellant. In view of Section 8(d) of the said Act, the respondent denied to furnish the required information, in as much as, it would affect business activities, commercial confidence and trade secrets. 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. Section 8(d) of the said Act (Exemption from disclosure of information) provides that, "notwithstanding anything contained in this Act, there shall be no obligation to give any citizen, information including commercial confidence, trade secrets or intellectual property, the disclosure of which would harm the competitive position of a third party, unless the competent authority is satisfied that larger public interest warrants the disclosure of such information.

4. It is noticed that, the respondent failed to furnish his reply within the stipulated time limit of 30 days. 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.*

5. With the above observation, this first 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 day February of ,2021

(L. Mohamed Mansoor)

3/5 Registrar of Cooperative Societies-cum-
First Appellate Authority

To:

- 1.The Appellant.
- 2.The Respondent.
- ✓3.The Web Editor, Coop-Dept., Puducherry
- 4.Stock File 2021.