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

Present: **Tmt. P. PRIYTARSHNY,**
Registrar of Co-operative Societies-cum-
First Appellate Authority.

FA/5/2013

Thiru V. Ramalingam,
No.33, E.C.R. Main Road,
Chinna Kalapet,
Puducherry – 605 014.

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Appellant

Vs.

The Public Information Officer,
Bharathi Co-operative Consumers Stores Ltd., P.564,
Lawspet, Bharathi Nagar,
Puducherry – 605 008.

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Respondent

ORDER

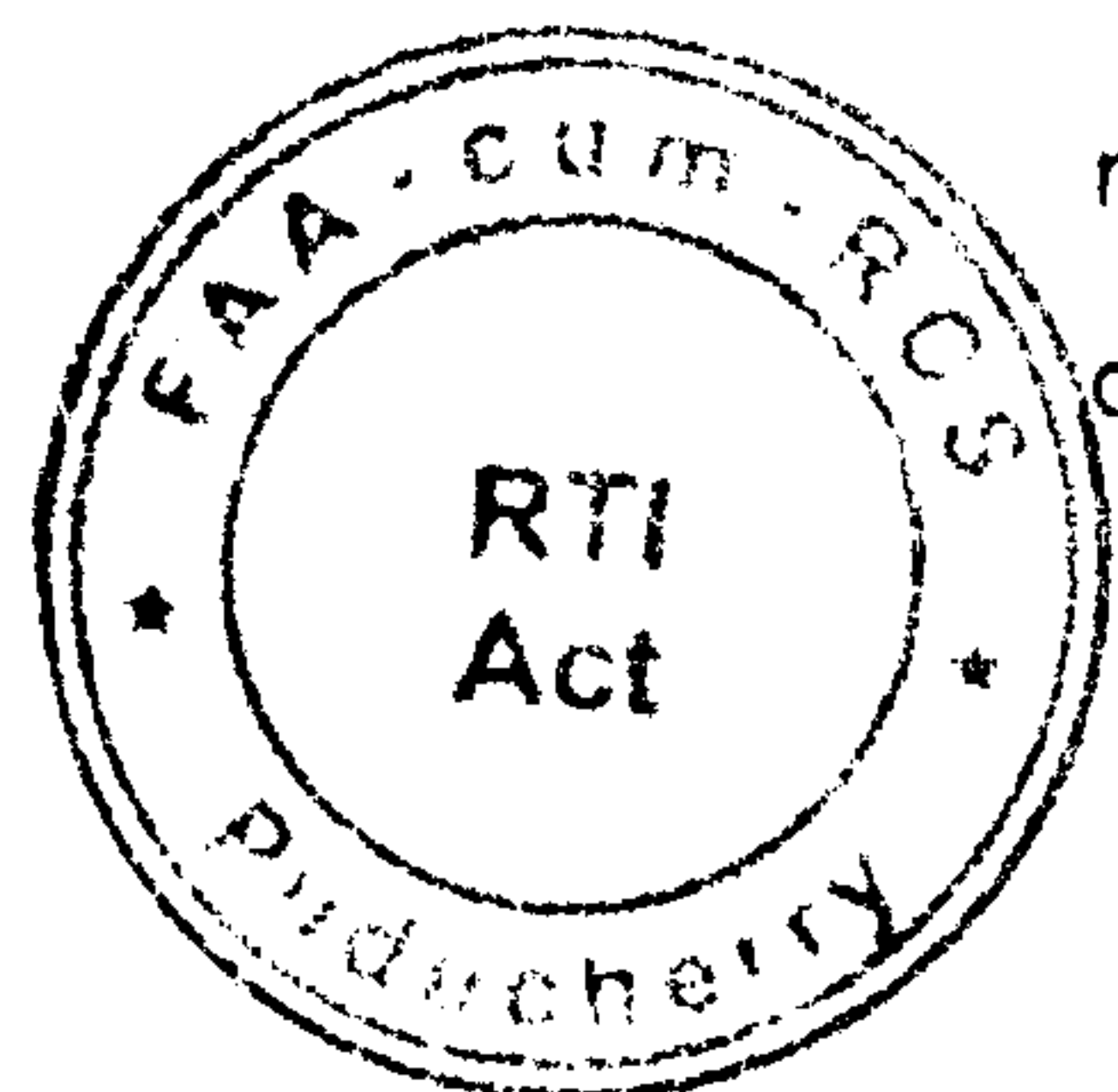
(Issued under Section 19 of the Right to Information Act, 2005)

Finding that the reply furnished, vide letter dated 11.1.2013 was incomplete the appellant resorted to the statutory remedy provided under Section 19 of the Right to Information Act, 2005 (for brevity 'the Act').

2. In this application dated 13.12.2012 the appellant / applicant sought details, *inter alia*, the arrears payable to the employees consequent on the implementation of the V pay committee. While furnishing the details in respect of other queries the respondent informed the appellant that the recommendations of the V pay committee were not implemented by the Bharathi Co-operative Consumers Stores and hence the details sought for could not be furnished. Aggrieved over this reply this first appeal was filed.

3. In the hearing held on 7.3.2013 both the parties were present. It is a submissions of the appellant that when the respondent paid the interim relief to the employees it is deemed that the directions issued by the Registrar to implement the recommendations of the V pay committee came into force and therefore the respondent has to state the arrears payable to the employees, as per the V pay committee recommendations.

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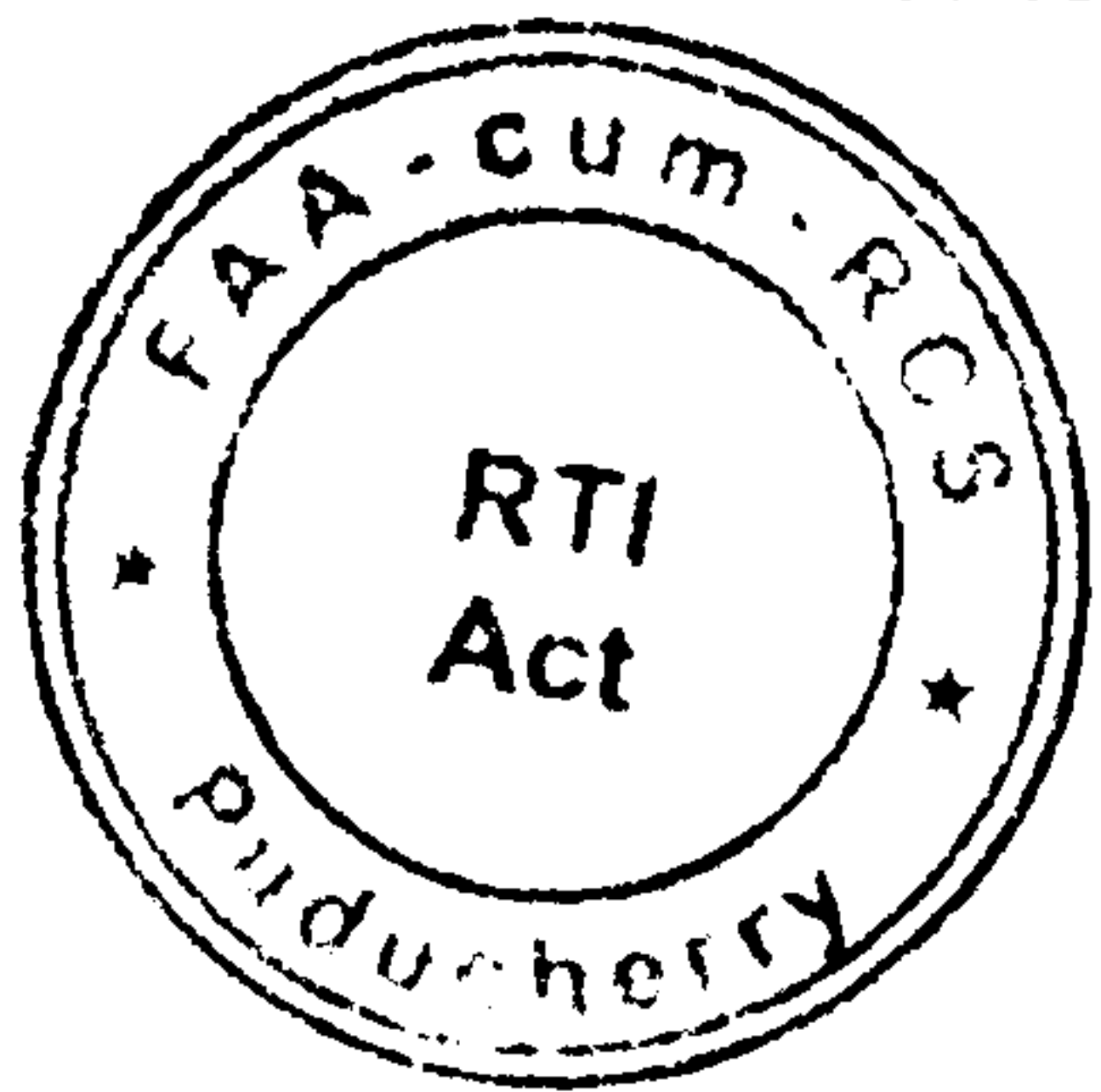


4. Per contra, the respondent stated that only the interim relief was paid and in view of the precarious financial position the revision of pay scales as recommended by the V pay committee was not implemented and hence no statement was prepared working out the arrears payable to the employees under the above scheme.

5. In view of the categorical submissions of the respondent that the scales were not given effect to the employees, the respondent cannot be compelled to work out the details, just because the appellant wanted it. The term '*information*' under Section 2(f) does not encompass itself the future course of action or something which is not available in the material form. The Public Information Officer cannot be expected to collect or collate information which is not held by him. I do not subscribe the appellant's arguments that when the interim relief was given to the employees it should be deemed that the employees are entitled for the revision of pay scales. Such a submission does not stand to reason under this Act.

6. On the above premises, I find that the grounds of appeal are without substance and hence the appeal stands rejected.

7. A second appeal against the decision shall lie with the Central Information Commission, Room No.305, 2nd Floor, B-Wing, August Kranthi Bhavan, Bhikaji Cama Place, New Delhi – 110 066 within ninety (90) days, as provided in sub-section (3) of Section 19.



Dated at Puducherry, on the 14th March, 2013.


(P. PRIYATARSHNY)
REGISTRAR OF CO-OPERATIVE SOCIETIES

To
The parties.

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