

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

FA/8/2016

Present: **Dr. A.S. SIVAKUMAR,**
Registrar of Co-operative Societies-cum-
First Appellate Authority.

A. Amalanathan,
S/o. Arumugam,
No.6, Police Lane,
Vengata Nagar,
Puducherry - 605 011.

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Appellant

Vs.

The Public Information Officer,
Mannadipet Commune Co-operative
Housing Society Ltd.,
Kooturavu (Co-operative) Nagar,
Kalitheerthalkuppam,
Madagadipet Post,
Puducherry - 605 107.

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Respondent

ORDER

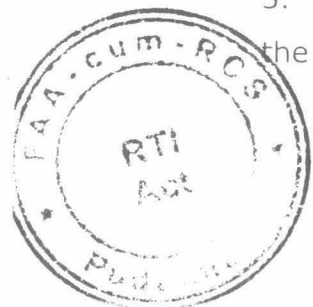
(Issued under Section 19 of the Right to Information Act, 2005)

The appellant questioning the legality of the order dated 27.2.2016 of the respondent seeking for a direction to the Public Information Officer of the Mannadipet Commune Co-operative Housing Society Ltd., No.P.512 (for brevity 'the society') to furnish information under the Right to Information Act, 2005 (for short 'the Act'), this appeal is filed invoking Section 19 of the Act.

2. It is seen from the appeal that vide his application dated 7.2.2016, the appellant/applicant, sought information under the Act from the respondent on information revolving around details on his loan availed from the society, to this the respondent informed to the appellant that the said Act is not applicable to the society.

3. Aggrieved over the order dated 27.2.2016 of the respondent, the appellant has filed this first appeal.

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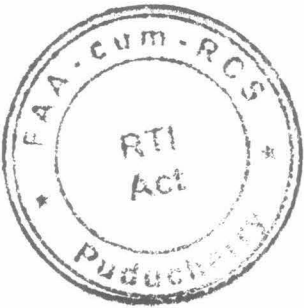


4. The appellant can invoke the provisions of the Right to Information Act, 2005 only against a public authority which comes under the definition of Section 2(h) of the Act. A co-operative society which is not substantially financed by the appropriate Government will not come within the purview of the public authority as held by the Hon'ble Supreme Court of India in *'Thalappalam Service Co-operative Bank Ltd., and others Vs. State of Kerala and others*, reported in 2013 (12) SCALE 527 : 2013 (6) CTC 98: (2013) 7 MLJ 407: 2013 (4) KLT 232: 2014-1-LW.273 and cited in the circular No.RCS/CLC/SFCS/2014/172 dated 23.12.2014 of the Co-operative Department, Puducherry.

5. In view of the above the respondent has rightly stated that the provisions of the Right to Information Act, 2005 is not applicable to the Mannadipet Commune Co-operative Housing Society Ltd., Puducherry. The impugned order does not call for any interference and hence the first appeal stands dismissed.

6. 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 8th April, 2016.




(Dr. A.S. SIVAKUMAR)
REGISTRAR OF CO-OP. SOCIETIES

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To
The Parties.