

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

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

FA/22/2014

Thiru K. Jeyakandhan,
No.4, First Cross Street,
Pudhu Nagar-III,
Kanuvapet,
Villianur,
Puducherry – 605 110.

>>>>>

Appellant

Vs.

The Public Information Officer,
Keezh Agraharam Primary Agricultural
Co-operative Credit Society Ltd., No.P.89,
Villianur via,
Puducherry – 605 110.

>>>>>

Respondent

ORDER

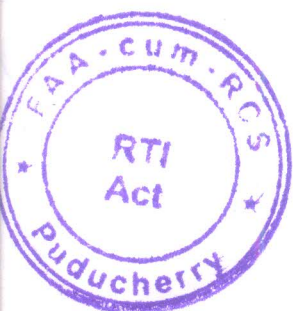
(Issued under Section 19 of the Right to Information Act, 2005)

Aggrieved by the response to his application dated 29.9.2014, this first appeal came to be filed under Section 19 of the Right to Information Act, 2005 (for short 'the Act').

2. Vide his application dated 29.9.2014, the appellant / applicant requested information from the respondent on the following:-

- (i) To inspect and take copies of the minutes book of the society for the years from 1975 to 1990.
- (ii) Name and designation of the appellate authority.
- (iii) The scheduled caste members from Thirukanjipet.

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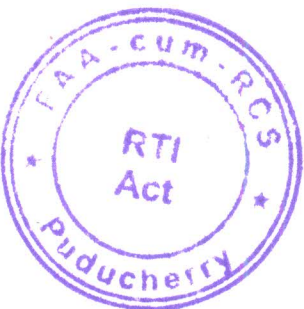
3. The respondent, in his letter dated 29.10.2014, informed to the appellant that he was seeking information from the records which are over 35 years and hence to inspect the records and take copies would not be possible. He stated that to get further information the appellant may approach the Deputy Registrar (Audit) / Public Information Officer in the Co-operative Department. With regard to his request for the scheduled caste members of Thirukanjipet, the respondent has asked appellant to specify the year for which these details were required.

4. This response is impugned before me. The appellant submitted that when the respondent admitted that the minutes book concerned is available with him, he cannot deny information. With regard to list of scheduled caste members, he requested the details for the last 20 years.

5. The appeal was admitted and the respondent was directed to file his response. A copy of the response so filed is forwarded to the appellant.

6. The respondent submitted that inspection of minutes book for the years from 1975 to 1990 will disproportionately divert the resources of the society and the request cannot be entertained in view of Section 7(9) of the Act. He has provided the name of first appellate authority. The respondent submitted further that if the appellant applies to him stating specifically the year up to which the list of scheduled caste members of Thirukanjipet is required, the information will be provided to the

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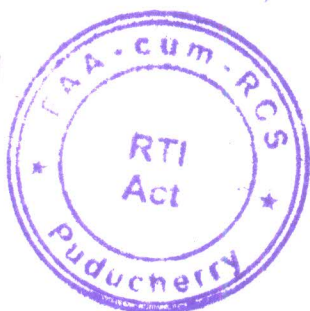


appellant. On going through the grounds of appeal vis-a-vis the response filed by the respondent, I find that the first request of the appellant is to peruse the minutes book of the society for the years from 1975 to 1990. As contended by the respondent, this is voluminous information sought for, to inspect and to procure and produce the minutes book of these years for inspection of the appellant, it will definitely affect the normal working of the society. If the appellant seeks to inspect for any particular year or years or on any particular subject, that can be permitted by the respondent, subject to the provisions of the Act.

7. Time and again, the Central Information Commission and the Courts have come down heavily on seeking information just to derail the working of the public authority. In its decision dated 17.1.2012 [file no. CIC/SG/A/2011/002909 – S P Goel vs. IOB] the Central Information Commission observed as under:

“At this juncture, the Commission would like to mention that though the right to information is a fundamental right of the citizens, it cannot be used indiscriminately so as to adversely affect the functioning of a public authority and divert its resources disproportionately to fulfill the demands of one individual. The RTI Act harmonizes the various requirements of democracy. An unreasonable demand by an individual of the resources of the State to pursue his own whims does not sub-serve the requirements of democracy. The Commission is also conscious of the fact that it is financed by the poorest man in this country who may be starving to death...”

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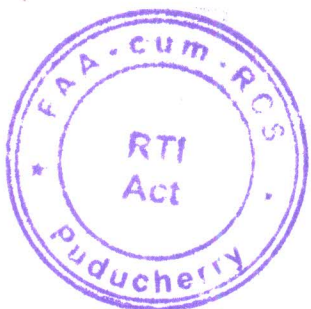


The observation of the Hon'ble Supreme Court of India in *ICAI vs. Shaunak H. Satya*, (2011) 8 SCC 781 is quite apposite and appropriate:

" We however agree that it is necessary to make a distinction in regard to information intended to bring transparency, to improve accountability and to reduce corruption, under Sections 4(1)(b) and (c) and other information which may not have a bearing on accountability or reducing corruption. The competent authorities under the RTI Act will have to maintain a proper balance so that while achieving transparency, the demand for Information does not reach unmanageable proportions affecting other public interests, which include efficient operation of public authorities and the Government, preservation of confidentiality of sensitive information and optimum use of limited fiscal resources."

8. Guided by the above decisions, the appellant is advised to restrict his request to any particular year or any particular subject and apply afresh to the respondent. If such application is received, the respondent shall dispose the application in the manner known to law. With regard to the third query, the appellant is advised to make a fresh application specifying the year for which the list is required. As the respondent has already agreed to provide the list, if a specific request is received, this issue is decided accordingly.

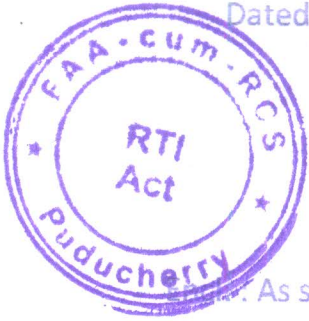
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9. The first appeal stands disposed on the above terms.

10. 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 this th 4 day of December, 2014.



As stated.

To

The Parties.


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