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

FA/4/2015

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

Thiru V. Sekar,
36, Second Floor,
Ramalingapuram,
Mudaliarpeta,
Puducherry - 605 004.

>>>>>

Appellant

Vs.

The Public Information Officer,
Pondicherry Revenue Staff Co-operative Credit Society Ltd.,
Revenue Department Complex, Saram,
Puducherry - 605 013.

>>>>>

Respondent

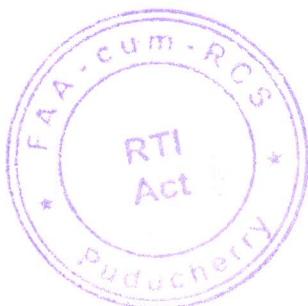
ORDER

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

Questioning the legality of the order dated 4.3.2015 of the respondent stating that the Pondicherry Revenue Staff Co-operative Credit Society Ltd., No.P.651 (for brevity 'the society') is not substantially financed by the Government and hence does not come under the ambit of 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 4.2.2015, the appellant/applicant, a member of the said society, sought information under the Act from the respondent. By the Impugned order, the respondent informed that the said Act is not applicable to the society. Challenging the said order the appellant contended that as per circular No.RCS/CLC/RIA/PIOs/FAA/2007/4 dated 8.1.2015 the Co-operative Department, Puducherry has ordered that all the co-operative societies

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Including the Pondicherry Revenue Staff Co-operative Credit Society have been entrusted and directed to entertain the applications under the Act. According to the appellant the respondent has quoted an old and invalid reference.

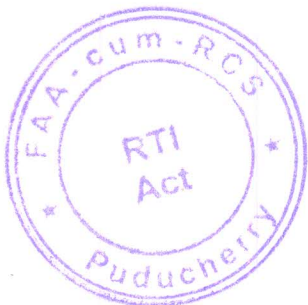
3. In the circular relied on by the appellant it may be seen that a reference was made to another circular bearing No.RCS/CLC/SFCS/2014/172 dated 23.12.2014. In the said circular 260 co-operative societies functioning in the Union territory of Puducherry are declared as public authorities under Section 2 (h) of the Act. Only such co-operative societies were directed to entertain applications and dispose of the same in accordance with the Act, vide circular dated 8.1.2015.

4. The Puducherry Revenue Staff Co-operative Credit Society is not one among the 260 co-operative societies listed in the circular dated 23.12.2014 and hence the said society does not fall within the ambit of the Act in as much as the said society has not received substantial finance from the appropriate Government and does not answer the definition of the 'Public Authority' under Section 2 (h) of the Act.

5. In view of the above, the appellant's contention that all the co-operative societies were directed to entertain applications under the Act vide circular dated 8.1.2015, is totally misplaced.

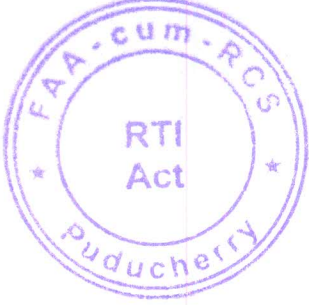
6. The impugned order of the respondent does not call any interference and hence affirmed. The first appeal, *sans merit*, stands rejected. However, it is open to the appellant to invoke the provisions of Section 26 of the Puducherry Co-operative Societies Act to get the details as a member of the society. This order does not preclude his right under the said Act.

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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 19th March, 2015.



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

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To
The Parties.

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