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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/9/2013

Thiru K. Pushparaj,
No.5, 2nd Cross Street,
S.S. Nagar,
Thondamanatham & Post,
Puducherry - 605 502.

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Appellant

Vs.

The Public Information Officer,
Pondicherry Co-operative Spinning Mills Ltd., P.396,
Puducherry-Villupuram National High Way,
Thiruvandarkoil P.O., Thirubhuvanai,
Puducherry - 605 102.

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Respondent

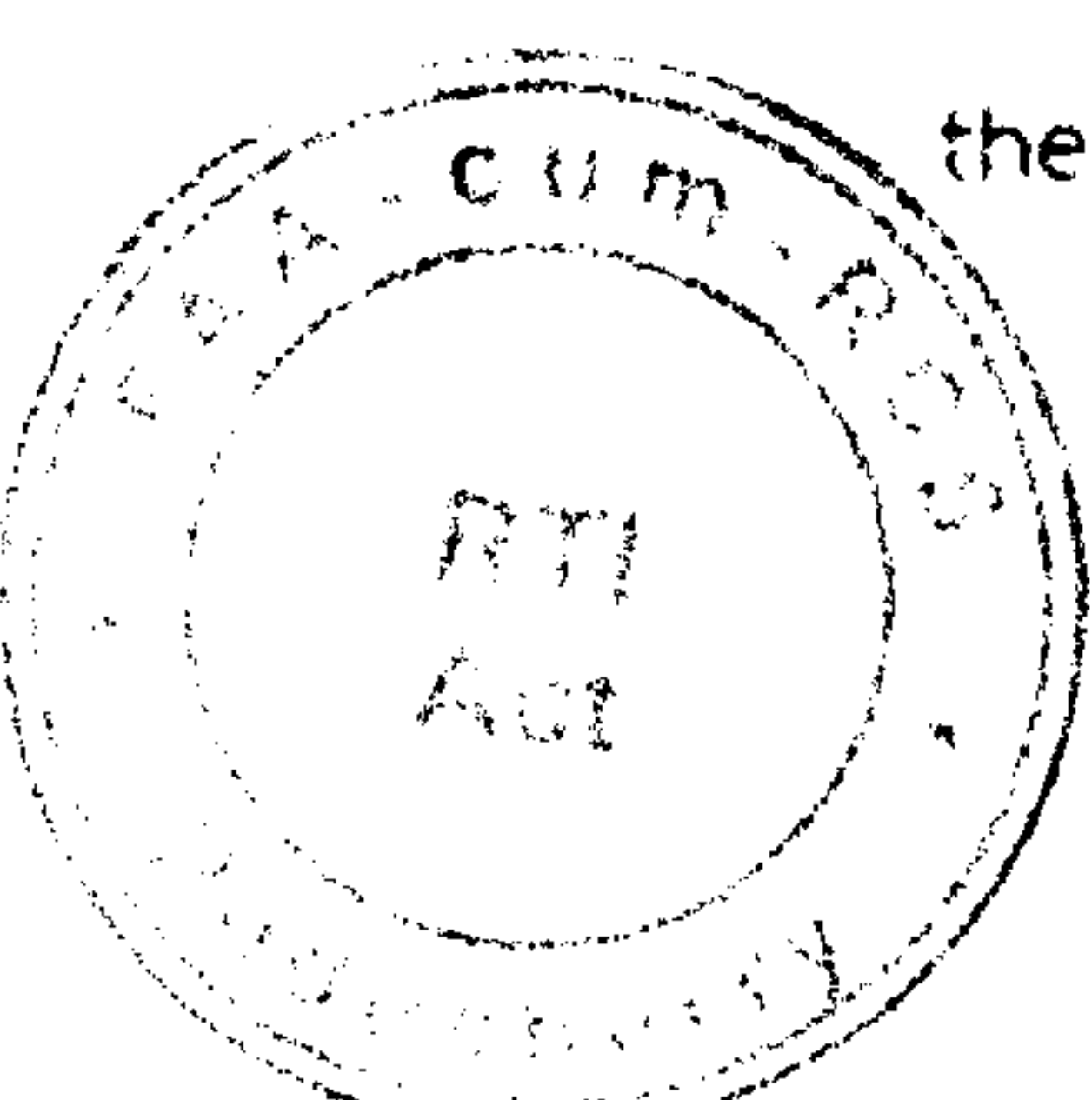
ORDER

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

Being disconcerted and aggrieved the denial of information on the ground that the information sought for would not come under the purview of the Right to Information Act, 2005 (hereinafter 'the Act'), the appellant herein preferred this first appeal invoking the remedy provided under Section 19 of the Act.

2 An epitome of facts leading to this first appeal may be stated first. The appellant / applicant, vide his application dated 10.12.2012, sought information as to who prevented from giving re-employment to him, the days on which the Mill functioned in various shifts, number of employees on whom the present Managing Director has initiated disciplinary action and the details of employees who have been given employment again, how satisfactory explanation can be given to the memorandum and on what dates letters were sent to him and who received such letters. In reply to this application the respondent, vide letter dated 7.1.2013, gave the impugned reply.

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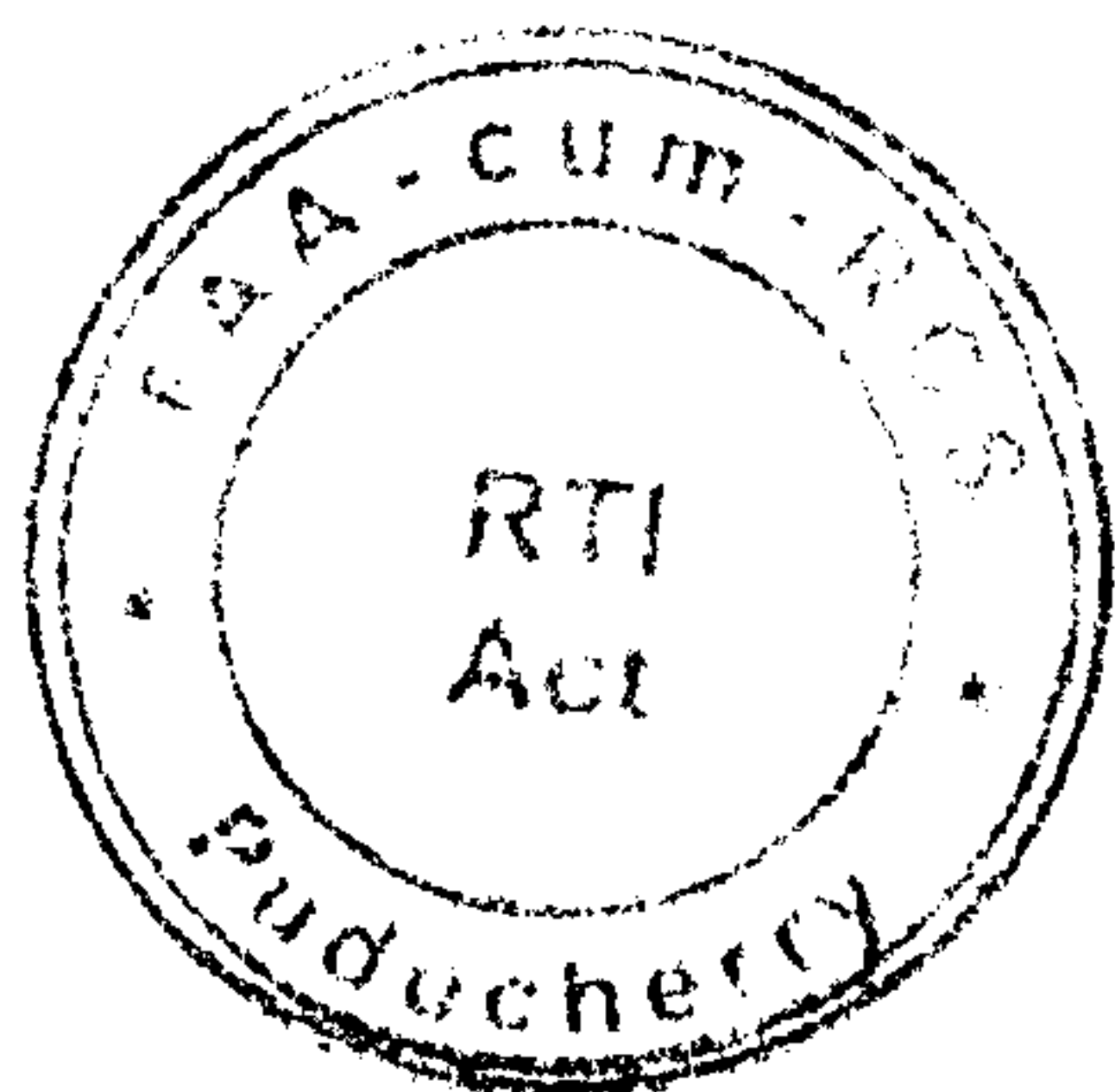


3. The first appeal was heard on 21.3.2013. The appellant and the respondent represented by Thiru S. Muthukumarasamy, Superintendent Grade-II (incharge) of the Mills were present. On poring over the application and the reply furnished, I find that the respondent was not justified in giving an one line reply that the application would not come under the purview of the Act. It is true that some irrelevant details were sought in the application, but it is equally true that some details which fall within the definition of '*information*' are not provided by the respondent.

4. The number of days during which the Mill functioned in various shifts, number of days in which the Mill did not function, number of employees against whom disciplinary action was taken, details of persons who are re-employed and the details on communication sent to the appellant would fall in the ambit of '*information*' under the Act and the respondent is obliged to provide such information. The respondent consented to provide the information on the above points.

5. With regard to the other part of the application, the appellant was informed that Section 2(f) of the Act defines information as a material or virtual records. A citizen has every right to get a copy of such records held by any public authority. It is expected that the information seeker, while requesting information should describe the subject matter of information, specify any other details necessary to identify the records. In the guise of seeking information the appellant cannot make frivolous, trivial and ambiguous queries. The appellant is directed to be cautious in seeking the information in future.

6. The appellant submitted that while furnishing information the respondent has not indicated the name of the First Appellate Authority. Attention of the respondent is drawn to Section 7 (8) of the Act which mandates that when the request has been rejected the Public Information Officer shall communicate to the



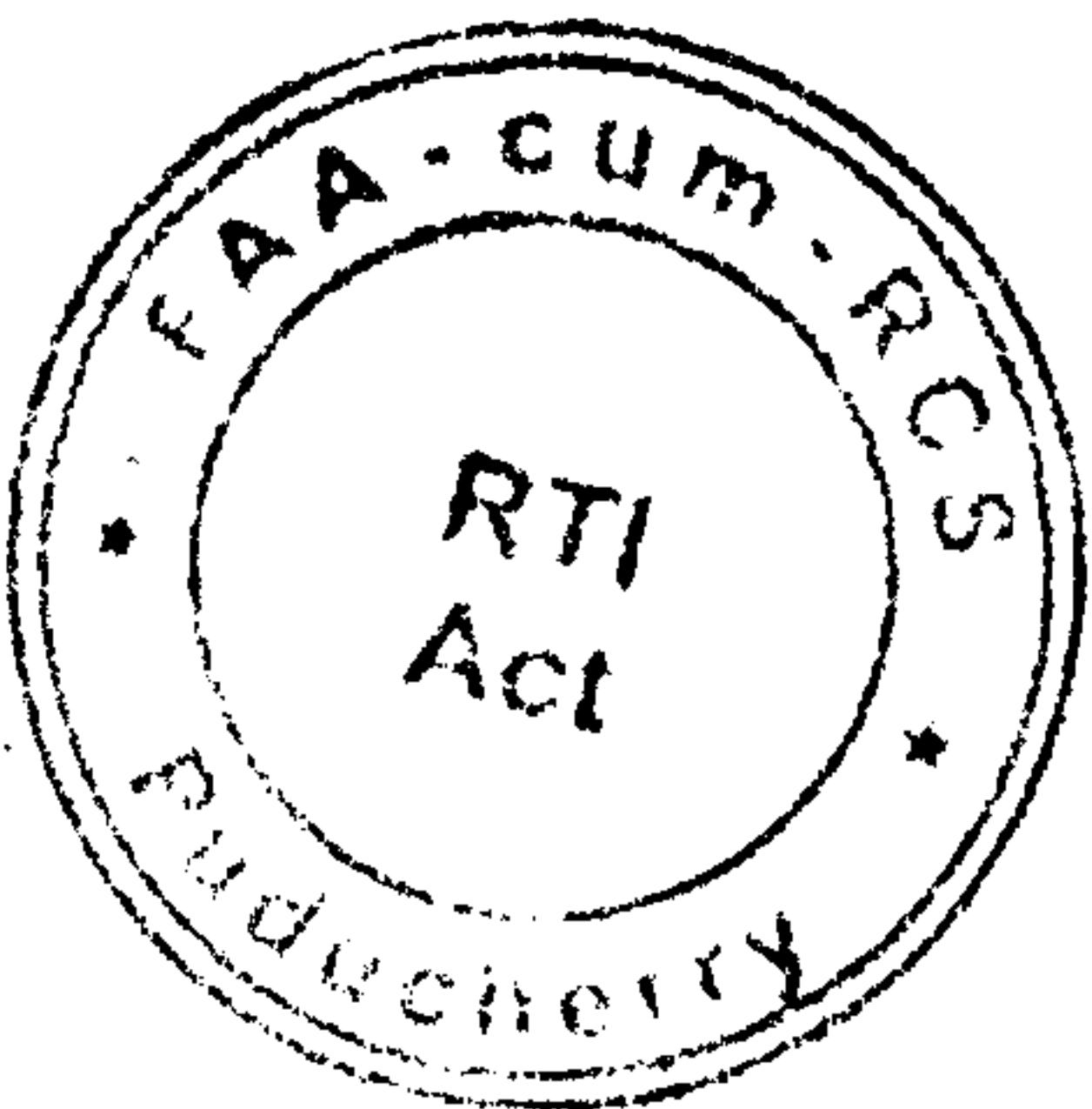
applicant the reason for rejection, the period within which an appeal may be preferred and particulars of the Appellate Authority. This should be complied with invariably. When an application is rejected the Public Information Officer should pass an speaking order and a curt rejection will not meet the requirements of law. The respondent shall take note of this.

7. In the light of the above, the respondent is directed to provide the aforesaid information, free of cost to the appellant within 10 days from the date of receipt of this order.

8. This first appeal stands disposed on the above terms.

9. 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 22nd March, 2013.



To
The parties.

(P. PRIYATARSHNY)
REGISTRAR OF CO-OPERATIVE SOCIETIES

o/c
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