

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

FA/8/2014

Present: **Thiru T. KARIKALAN,**
Registrar of Co-operative Societies-cum-
First Appellate Authority.

Thiru B. Arockiadass,
S/o. Sengol,
No.42, Anthonyar Koil Street,
Melaoduthurai,
Neravy,
Karaikal – 609 604.

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Appellant

Vs.

The Public Information Officer,
Jayaprakash Narayan Co-operative Spinning Mills Ltd., No.P.545,
Keezhamanai, Neravy,
Karaikal – 609 604.

>>>>>

Respondent

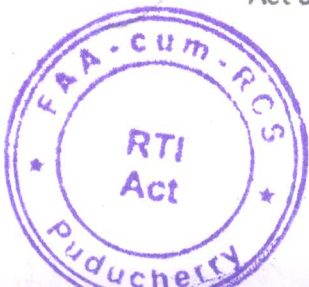
ORDER

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

Assailing the denial of information to his application seeking information about Jayaprakash Narayan Co-operative Spinning Mills Ltd., the appellant herein filed this first appeal under the Right to Information Act, 2005 (for short 'the Act') initially before the District Collector, Karaikal. This appeal was forwarded to this First Appellate Authority vide letter No.DCK/A1/RTI/2013/35/A6 dated 5.5.2014 in accordance with Order No.5/SECY(COOP)/PA/2007 dated 4.1.2008.

2. The appellant has requested information on 18 queries for which the respondent stated that 15 queries will not come under the purview of 'information' and for the remaining 3 queries information was denied under Section 8 (d) of the Act and hence this first appeal.

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3. The respondent was directed to file his response on the first appeal filed by the appellant. The respondent, in his letter dated 18.6.2014 has verbatically reproduced what was given earlier and there is no justification worth its name as to how the denial was justified.

4. The respondent should be aware that once an applicant seeks information as defined in Section 2 (f) of the Act, the same cannot be denied to the information seeker except on any of the ground mentioned in Sections 8 or 9 of the Act. The CPIO cannot add or introduce new reasons or grounds for rejecting furnishing of information. However, it may be noted only such information can be supplied under the Act that is available and existing and is held by the Public Authority or is held under the control of the Public Authority. This view is expressed by the Central Information Commission in *Paras Nath Singh vs. Department of Electronics and Information Technology, New Delhi*, No.CIC/BS/2013/000883/5140 dated 9.5.2014.

5. The respondent has not taken any pain to state how the information asked for does not fall within the definition of 'information' under Section 2 (f) of the Act or how denial of information is justified under Section 8 (1) (d) of the Act. Mere quoting the Section number will not amount to justification for denial. The provisions of the Act are, *per se*, to enable an applicant to seek information which is considered to be valuable right from the Public Authority. If information is denied it should be for strong and compelling reason, as provided under the Act. A sweeping denial, as in the present case, amounts to unjustified denial and unsupported by reasons.

6. Bringing the laudable objective of the sunshine Act, the Hon'ble Delhi High Court in *Indian Olympic Association Vs. Veeresh Malik & Ors.*, 2010 (2) ID 129 observed that :

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