

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

Present: **Thiru G. PANNEERSELVAM**

Registrar of Co-operative Societies-cum-
First Appellate Authority.

FA/3/2012

Thiru K. Saravanabavan,
Mettu Street,
Embalam & Post,
Puducherry – 605 106.

>>>>

Appellant

Vs.

The Public Information Officer,
Pondicherry State Co-operative Union Ltd., No.P.259,
No.62, Suffren Street,
Puducherry – 605 001.

>>>>

Respondent

ORDER

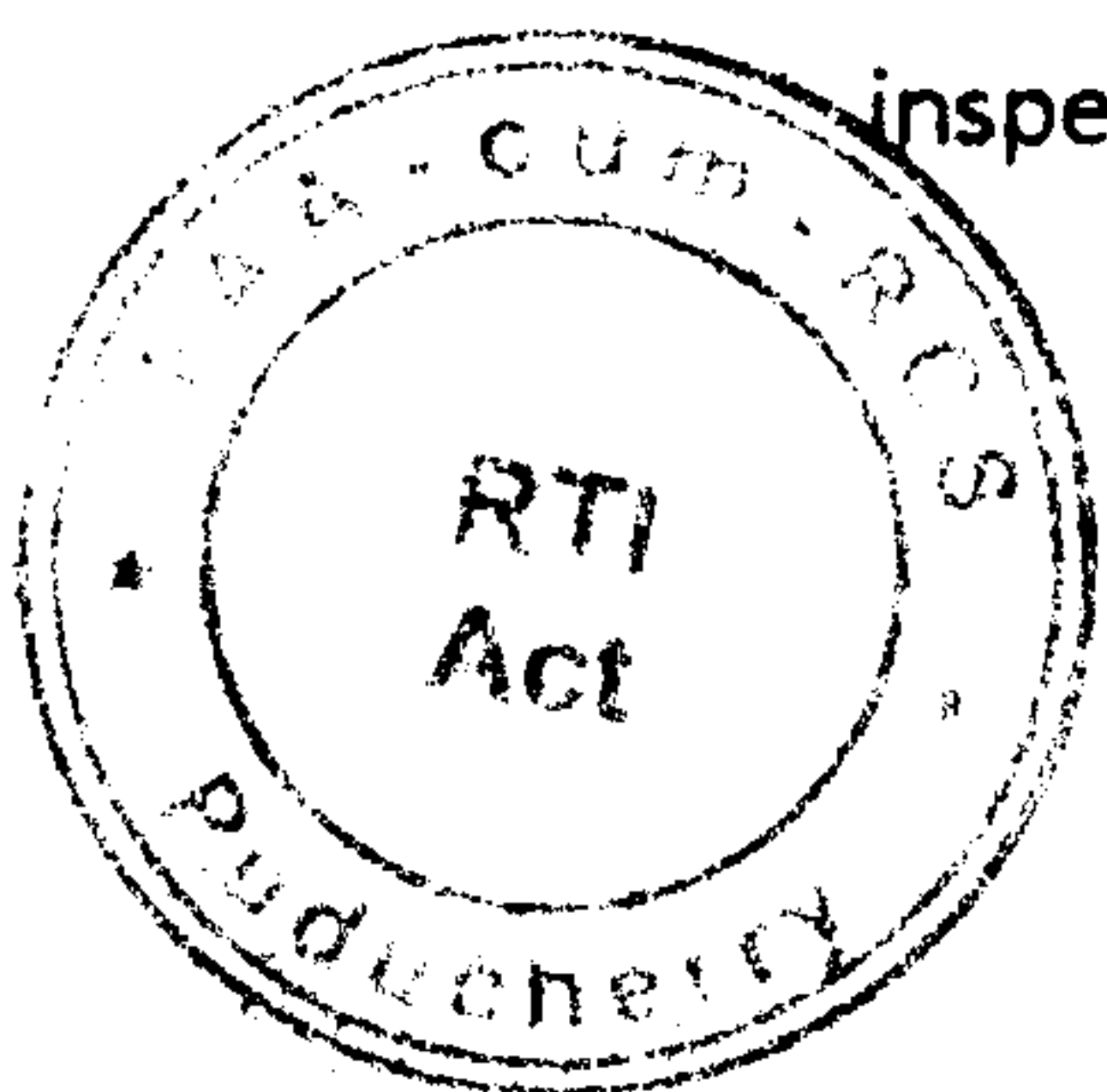
(Issued under Section 19 of the Right to Information Act, 2005)

Undaunted and unhinged by the disposal of the previous first appeals filed under Section 19 and applications under the Right to Information Act, 2005 (for brevity 'the Act'), the appellant herein has assailed the order of the respondent inviting him to conduct an inspection of the records of the Union in connection with his application dated 24.11.2011.

2. The appellant / applicant has raised 34 queries spreading to 8 pages, vide aforesaid application. The queries revolve around one Tmt. E. Bhuvaneshwari, Faculty in Co-operative Training Institute and grant of affiliation / recognition to CCE, CETI, etc. When the respondent asked the appellant / applicant to inspect the records vide letter dated 29.12.2011, the appellant preferred this appeal stating that such a direction is in contravention to the provisions of the Act and sought to provide the records asked for as he intended to file a case against Co-operative College of Education and Co-operative Teacher Training Institute for their maladministration.

3. In response to this first appeal the respondent submitted that the appellant was raising more questions incomprehensively and repeatedly and would be prepared for an inspection by the appellant to clear the mist.

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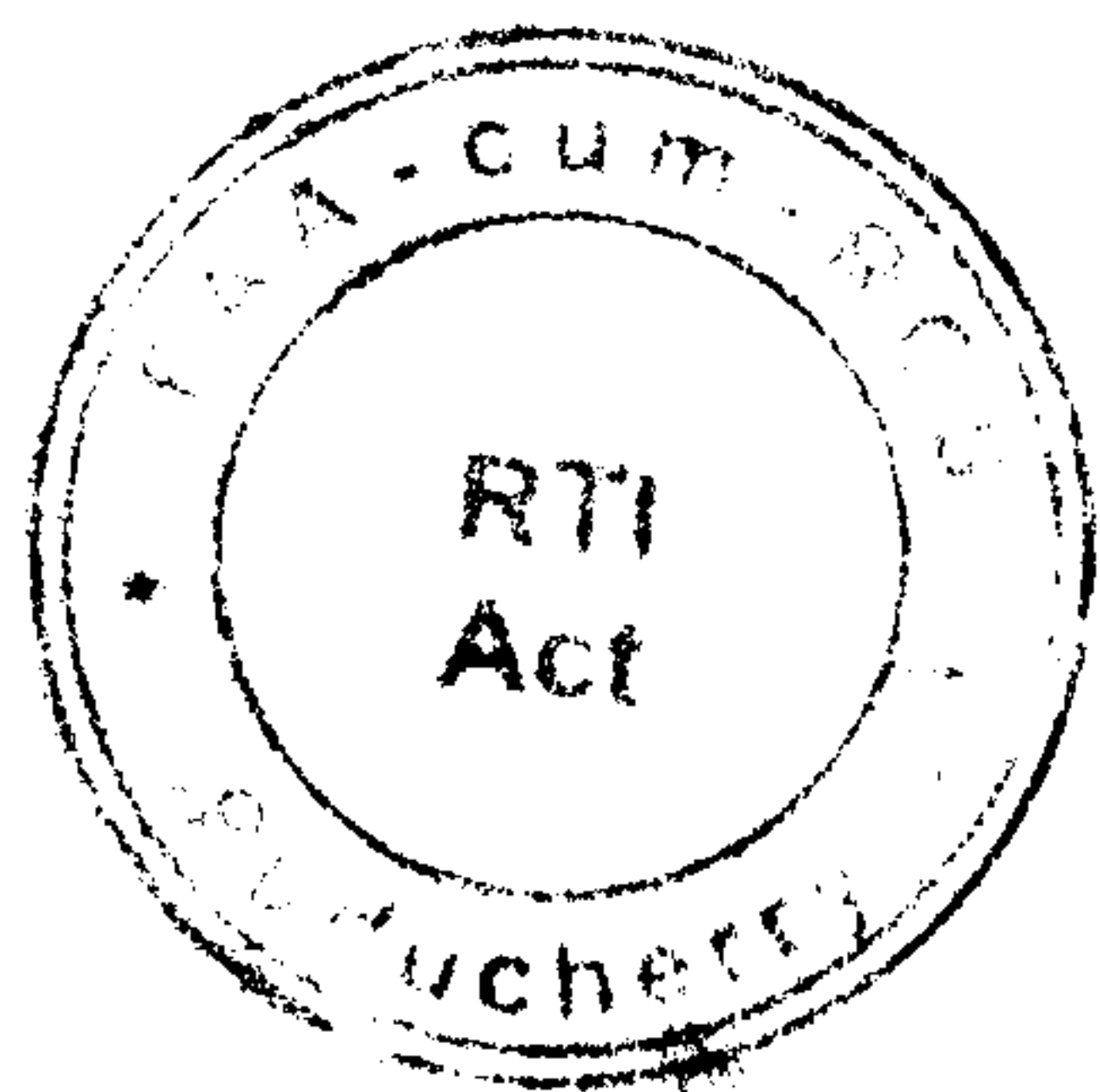


4. An information is to be provided in the form it is sought for unless it would disproportionately divert the resources of Public Authority or would be detrimental to the safety or preservation of records in question [Section 7 (9)]. As contended by the respondent the appellant seeks the very same information on different form and on different occasion. When the respondent has asked him to inspect the records I see no valid reasons as to why this was not made use of by the appellant.

5. It must be borne in mind that Section 7 (9) is not an exception. If an information is sought by an application disproportionately divert the resources of the Public Authorities the PIO should offer the information in an alternate form which would be photocopies of all such records or an inspection of the records as held by the Central Information Commission in '*S.P. Deodhar vs. Reserve Bank of India*', Mumbai', CIC/SM/A/2011/000828/SG/14883 dated 27.9.2011.

6. The appellant was repeatedly advised to use the provisions of the Act to the noble purpose for which it was enacted but time and again the appellant approaches the respondent with applications which contain numerous queries, at times beyond anybody's comprehension. In somewhat similar circumstances the Central Information Commission has made candid observations as to how the provisions of the Act are to be invoked. In '*R. Balasubramaniam vs. Indian Institute of Technology, Chennai*' CIC/DS/A/2011/000948 dated 13.1.2012, the fortitude observations of the Commission are as under :

"Commission is constrained to observe that the appellant's representative who has appeared today before the Commission has filed as many as 59 applications holding about 1000 questions which will undoubtedly disrupt the normal functioning of the public authority and divert their scarce resources away from the core activity of the organization. It is the submission of the respondents that the representative of the appellant was a former Assistant Registrar of the Institute whose services have been terminated and that he misusing the right given to him under the Act to settle scores with Institute. Shri Balasubramaniam has not denied having submitted these RTI applications. His attention is drawn to paragraph number 37 of the order of the Supreme Court of India dated 9 August 2011 in the case of CBSE and another versus Aditya Bandhopadhyaya and others in which the Apex Court



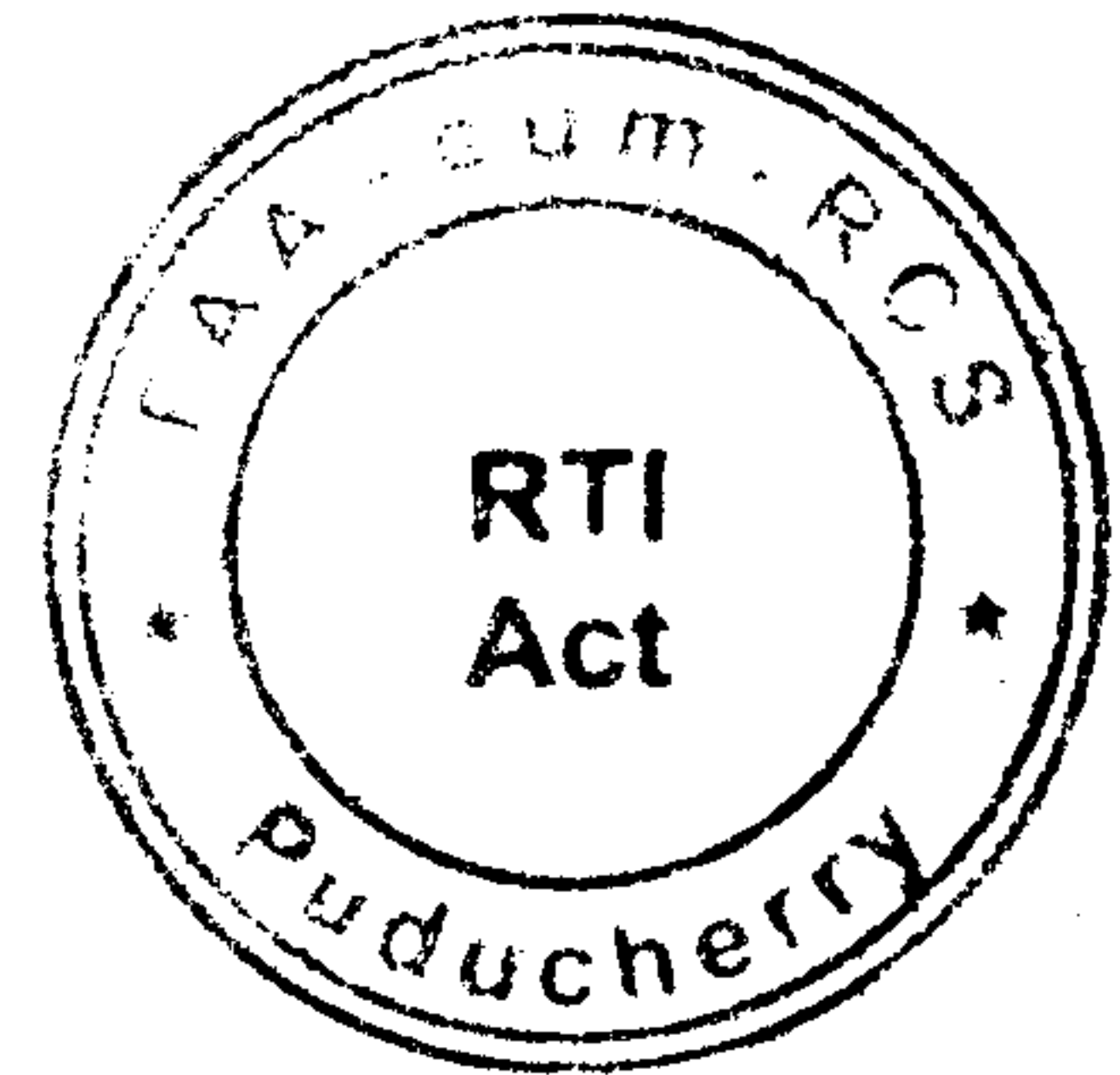
has frowned on this tendency to make *"Indiscriminate and impractical demands for disclosure of all and sundry information (unrelated to transparency and accountability in the functioning of public authority is an eradication of corruption) which would be counterproductive as it would adversely affect the efficiency of the Administration and result in the executive getting bogged down with the non-productive work of collecting and furnishing information"*. Appellant is directed to bear this observation in mind while exercising, in future, the right to him under the RTI Act 2005".

7. In the light of the above, the appellant is directed to inspect the records of the Union and identify the documents which he requires. Once the documents are identified the respondent shall provide copies, on receipt of cost thereon, subject the provisions of the Act, within 10 days from the date of inspection.

8. The 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 this 22nd day of February, 2012.



(G. PANNEERSELVAM)

REGISTRAR OF CO-OPERATIVE SOCIETIES

o/c
22/2/12

4/4

To

The Parties.