

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

Present: **Thiru B.R. BABU**

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

FA/14/2012

Thiru P. Ramadoss,
No.22, Laporte Street,
Puducherry – 605 001.

>>>>

Appellant

Vs.

The Public Information Officer / Deputy Registrar (Audit),
Co-operative Department,
Puducherry – 605 009.

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Respondent

ORDER

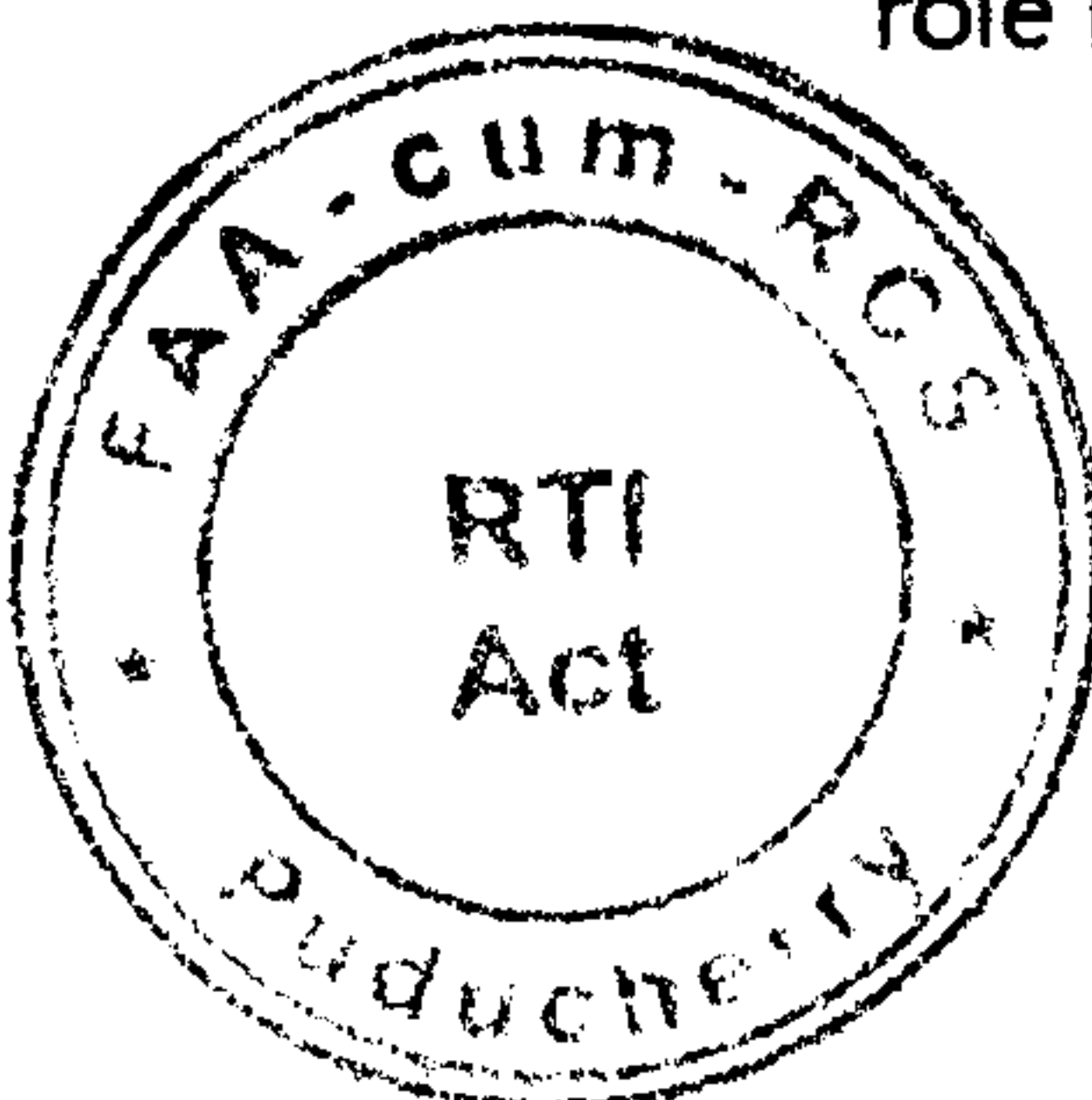
(Issued under Section 19 of the Right to Information Act, 2005)

Aggrieved and agitated over the information provided by the respondent, vide letter dated 24.2.2012, the appellant has preferred this first appeal invoking Section 19 of the Right to Information Act, 2005 (for short 'the Act').

2. The respondent sought some information, vide application dated 25.1.2012, which was responded by the respondent. In his first appeal, the appellant has averred that the information provided to question Nos.1(d), 1(e), 1(f), 2(a), 2(c), 2(d), 2(e), 2 (f), 3(a) and 3(b) is incomplete and hence prayed to obtain the complete information from the respondent.

3. The respondent collected the views of the Deputy Registrar (Credit), Co-operative Department, Puducherry and forwarded the same as his reply statement. The reply statement furnished by the respondent is forwarded to the appellant. At the outset, the respondent is informed that he cannot simply forward the views of another officer of the Department as his reply statement and the reply statement should be the views of the respondent himself. It is hoped that the respondent would understand his role in implementing the Act and furnish the reply statement as expected of him.

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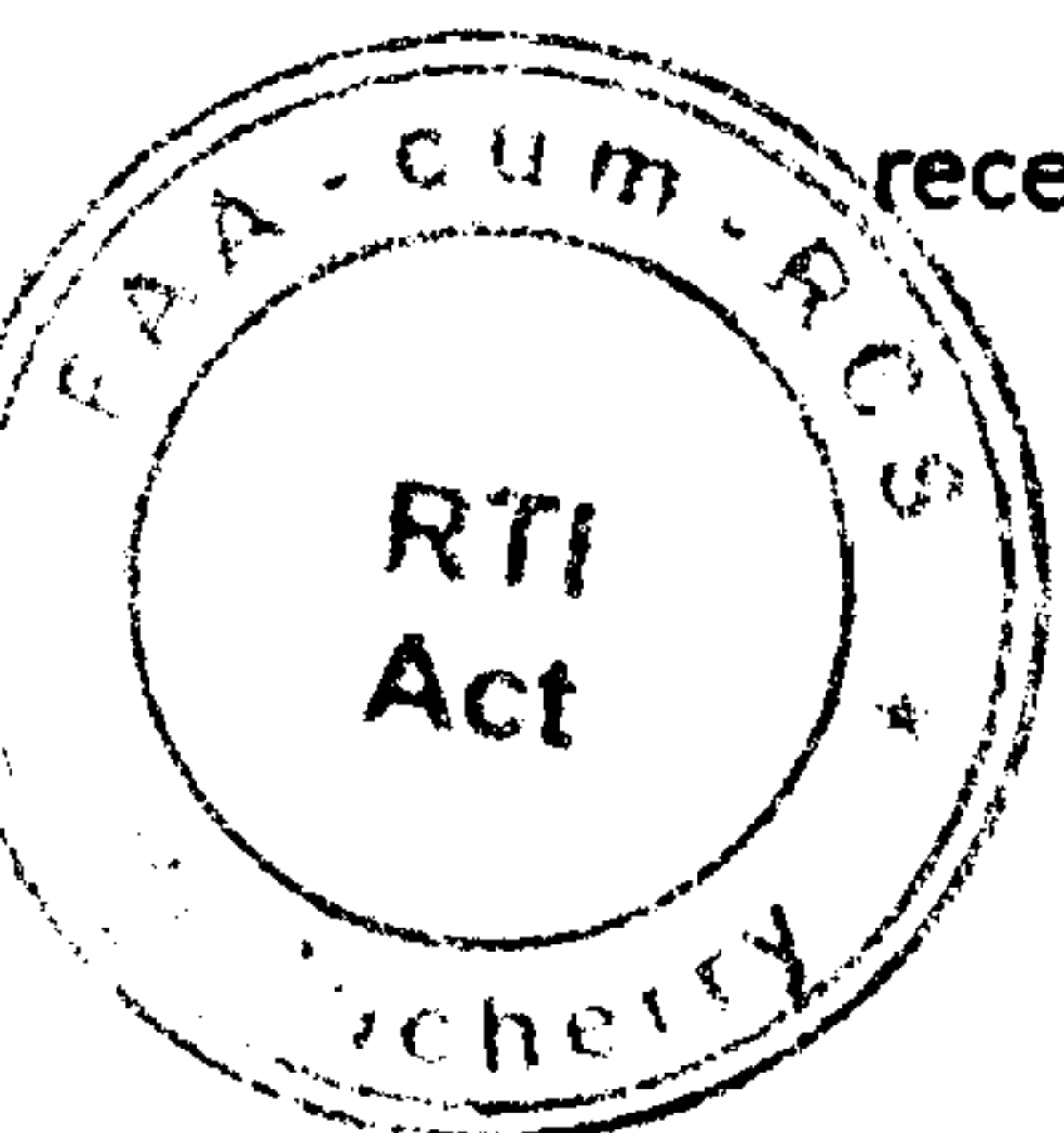
4. On going through the reply statement with the grounds of appeal, I find that the grounds of appeal are too fragile and unsustainable. Under the grab of seeking information the appellant cannot seek reason as to why a particular act was done or not done to his level of expectation. Information as is held by or under the control of the Public Authority alone can be provided and the appellant cannot seek whether a particular action taken was right or wrong. The scope of the Act is well settled by a judgment of Andhra Pradesh High Court in 'Diwakar S. Natarajan vs. State Information Commissioner and others, AIR 2009 (NOC) 1362 (AP). The Court was of the view that :

"In the instant case the actual grievance of the petitioner was much more than mere collection of 'information' as defined under the Act. A distinction needs to be maintained between information on the one hand and reasons in support of an administrative action or inaction on the other hand. The effort of the petitioner appeared to have been directed mostly in relation to the latter, that too, without specifying the actual grievance, much less, the authority who was supposed to take a decision. It is well nigh impossible for anyone to accede to the request of the petitioner within the scope of the Act and Rules."

5. In the light of the above decision, I see little reason to interfere with the information provided to the appellant. If the appellant has any grievance against the decision taken by the Pondicherry Central Co-operative Processing Supply and Marketing Society Ltd., (hereinafter 'the Marketing Society'), it is open to him to agitate before the proper forum. More than providing information nothing could be done under this Act.

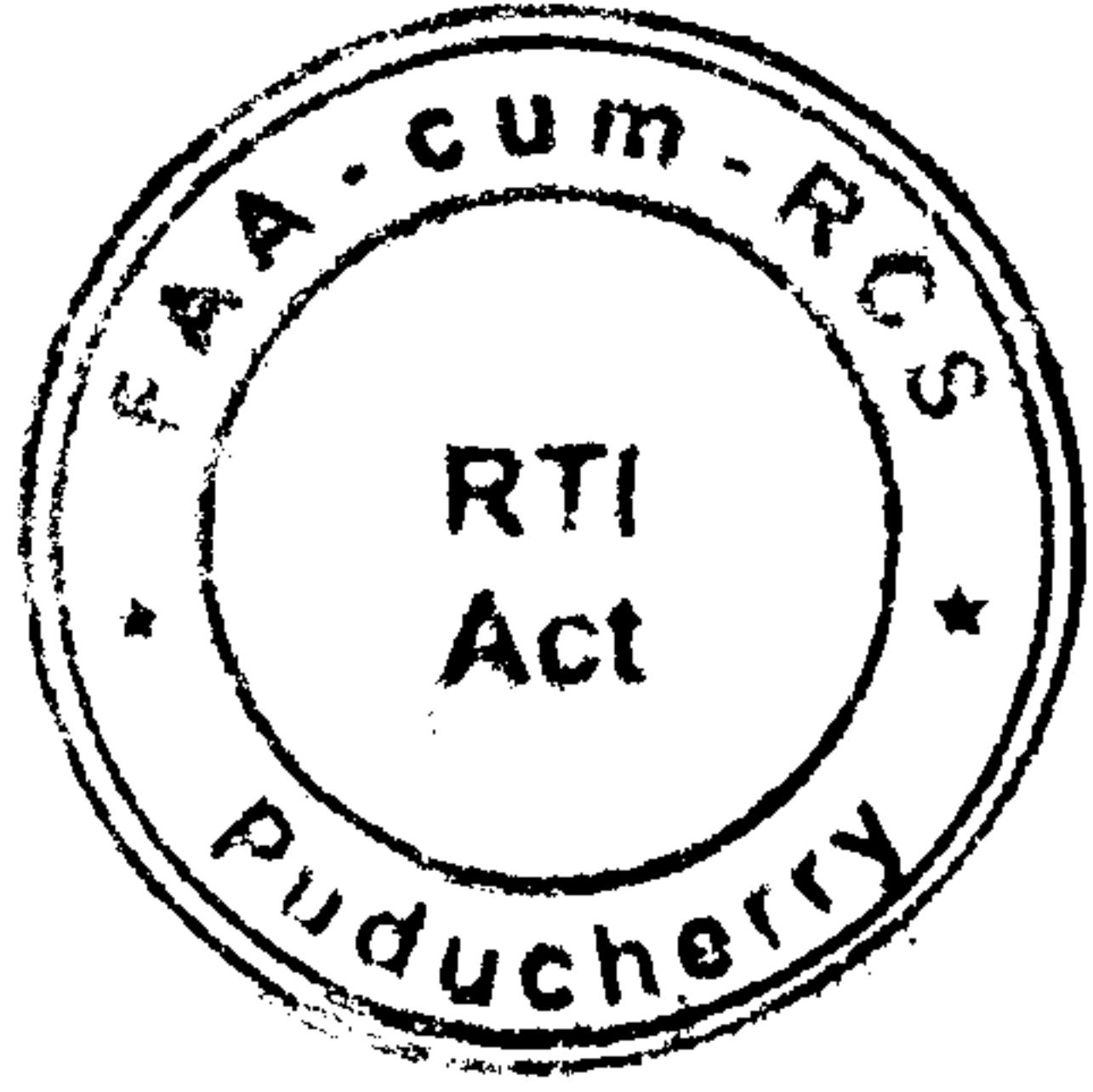
6. However, with regard to the meeting attended by the representative of the Department, sought under question No.1(f), this part of the query should be transferred to the Marketing Society to provide the information. The respondent cannot ask the appellant to obtain the information from the society. The respondent is directed to transfer this query to the Marketing Society within three (3) days from the date of receipt of this order.

...3/-



7. The appeal stands disposed on the above terms.

8. 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 30th day of March, 2012.


(B.R. BABU)

REGISTRAR OF CO-OPERATIVE SOCIETIES

Encl.: As above.

o/c
30/3/12

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To

The Parties.