

TELANGANA STATE INFORMATION COMMISSION

(Under Right to Information Act, 2005)

Samachara Hakku Bhavan, D.No.5-4-399, '4' Storied Commercial Complex,
Housing Board Building, Mojam Jahi Market, Hyderabad – 500 001.
Phone Nos: 040-24740638 (o); 040-24740592(Fax)

Appeal No. 6324/SIC-Dr.Mohd.Ameer/2020

Dated: 25-04-2022

Appellant : Sri MALLAIAH GOUD PONNAM, R/o Karimnagar District

Respondents : The Public Information Officer (U/RTI Act, 2005) /
O/o The District Co-operative Officer, Collectorate Complex,
Karimnagar District

The Appellate Authority (U/RTI Act, 2005) /
O/o The District Co-operative Officer, Collectorate Complex,
Karimnagar District.

ORDER

Sri MALLAIAH GOUD PONNAM, R/o Karimnagar District filed 2nd appeal dated 30-07-2020 which was received by this Commission on 04-08-2020 for not getting the information sought by him from the PIO / O/o The District Co-operative Officer, Collectorate Complex, Karimnagar District and 1st Appellate Authority / O/o The District Co-operative Officer, Collectorate Complex, Karimnagar District.

The brief facts of the case as per the appeal and other records received along with it are that the appellant herein filed an application dated 12-12-2019 under Sec.6(1) of the RTI Act, 2005, before the PIO seeking the following information:



1. Copy of by-laws related to the "KAMADENUVU" super market DCCS Karimnagar.
 2. Copy of land allotment proceedings to the said society.
 3. Is there any government aid received by the said society if so the details.
- Information may be furnished

Since the appellant did not receive the information from the Public Information Officer, he filed 1st appeal before the 1st Appellate Authority requesting him to furnish the information sought.

The appellant stated that as he did not get information from the Public Information Officer and 1st Appellate Authority, he preferred this 2nd appeal before this Commission requesting to arrange to furnish the information sought by him.

The 2nd Appeal was taken on file and notices were issued to the parties concerned for hearing on 25-04-2022.

On 25-04-2022 the case is called. The Appellant is present. The Public Information Officer / Assistant Registrar, O/o the DCO, Karimnagar District is present. The 1st Appellate Authority is absent.

The Appellant submitted that he did not receive the sought information from the Public Information Officer.

The Public Information Officer informed the appellant on 09-01-2020 that the sought information could not be furnished as the Cooperative Societies do not fall under the scope and ambit of “Public Authority” as defined in clause (h) of Section (2) of the RTI Act, 2005.

As per the provisions of RTI Act 2005 the burden of proving whether the office falls under “Public Authority” or not lies on the appellant. In the instant case the appellant neither appeared for hearing nor filed affidavit to prove the Society as Public Authority

In view of the above, **the Appeal is closed.**

Dr. Mohd. Ameer
State Information Commissioner

Authenticated by:

Assistant Registrar
Copy to: IT Section/SF

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