

**Central Information Commission, New Delhi**  
**File No. CIC/SH/A/2016/000082**  
**Right to Information Act-2005-Under Section (19)**

**Date of hearing** : 24th January 2017

**Date of decision** : 24th January 2017

**Name of the Appellant** : SMT. HEMLATA GOYAL  
W/O. SHRI RAMESH CHAND GOYAL,  
118, PANCHWATI, SCHEME NO-7,  
ALWAR , RAJASTHAN -301001

**Name of the Public Authority/Respondent** : CENTRAL PUBLIC INFORMATION OFFICER,  
M/O. AGRICULTURE  
DEPARTMENT OF AGRICULTURE,  
COOPERATION & FARMERS WELFARE,  
KRISHI BHAWAN, NEW DELHI

**RTI Application filed on** : 11/05/2015

**CPIO replied on** : 16/09/2015

**First Appeal filed on** : 05/10/2015

**First Appellate Authority order on** : —

**2<sup>nd</sup> Appeal received on** : 08/12/2015

The Appellant was represented by her husband, Shri Ramesh Chand Goyal, who was present at the NIC Studio, Alwar.

On behalf of the Respondents, Shri Jitender Nagar, Deputy Director was present in person.

**Information Commissioner** : Shri Sharat Sabharwal

**Information sought**

This matter concerns an RTI application filed by the Appellant, seeking information on six points regarding Bhavishya Credit Cooperative Society Limited.

**The CPIO reply**

The CPIO responded point wise to the RTI application and denied the information on point no. 6, stating that the query did not qualify as 'information' as defined in section 2 (f) of the RTI Act.

## **Grounds of the First Appeal**

Not satisfied with the CPIO's reply.

## **Order of the First Appellate Authority**

No order passed.

## **Grounds of the Second Appeal**

Complete information not provided.

## **Relevant facts emerging during the Hearing, Discussion and Decision**

The representative of the Appellant submitted that the Appellant had made a fixed deposit of Rs. 67,100/- in Bhavishya Credit Co-operative Society Ltd. However, the amount of the deposit was not refunded to her on its maturity on 28.9.2014. She was informed that the members of the management of the society were in jail. The Appellant sought information through her RTI application in the above context. However, she has not been provided satisfactory information and in spite of lapse of three years, the matter remains unresolved. The Respondents submitted that such societies, registered under the MSCS Act, 2002 are autonomous societies and they cannot interfere in their day to day work. In fact, their advice to the persons dealing with such societies is to do so after ascertaining all the facts related to their dealing with the society. The representative of the Respondents also stated that they are short of staff. He further submitted that in response to point No. 5 of the RTI application, the CPIO had informed the Appellant that the process of winding up of the society had been initiated and the Registrar of Co-operative Societies, Government of Rajasthan had been requested to send the names of officers who could be considered for appointment as liquidator in the society. He added that the liquidator was subsequently appointed on 4.5.2016.

2. We have considered the submissions of both the parties and note that the situation placed before us is highly unsatisfactory. On the one hand is the Appellant who has remained deprived of a large sum of her money for the last nearly three

years. There would certainly be many others in the same situation. On the other, we have the Department of Agriculture, Co-operation and Farmers Welfare expressing their helplessness in the matter. Taking into account the totality of the facts placed before us, the CPIO is directed to forward to the Appellant a certified copy of the order dated 4.5.2016 regarding appointment of a liquidator. The CPIO is further directed to respond to the specific queries at points No. 1 to 4 and 6 of the RTI application, providing such information as is available on the records of the Respondents. If information in response to the specific query at any of the above points is not available on the records of the Respondents, the CPIO should file a sworn affidavit to that effect to the Commission, with a copy to the Appellant. The CPIO should comply with our above directives, within fifteen days of the receipt of this order, under intimation to the Commission. Such information, as is provided, should be provided free of charge.

3. With the above directions and observations, the appeal is disposed of.

4. Copies of this order be given free of cost to the parties.

Sd/-  
(Sharat Sabharwal)  
Information Commissioner

Authenticated true copy. Additional copies of orders shall be supplied against application and payment of the charges prescribed under the Act to the CPIO of this Commission.

(Vijay Bhalla)  
Deputy Registrar