

OFFICE OF THE FIRST APPELLATE AUTHORITY
(Appointed under the Right to Information Act, 2005)
The Institute of Company Secretaries of India
ICSI House, C-36, Institutional Area, Sector-62,
Noida - 201 309 (U.P.)

Appeal No. 08/2022

IN THE MATTER OF:

Sharad Kumar Jhunjhunwala
A-11 Ashok Vihar,
Ranchi- 834002
Jharkhand

Appellant

Vs.

Central Public Information Officer
The Institute of Company Secretaries of India
ICSI House
22, Institutional Area, Lodi Road
New Delhi - 110 003

Respondent

Date of Order: 8th March, 2022

ORDER

1. The Appellant has filed first appeal on 09.02.2022 under Section 19(1) of the Right to Information Act, 2005 in connection with response Ref. No. RTI 2005/5242(22) dated 09.02.2022 against the Central Public Information Officer (CPIO) (hereinafter referred to as Respondent) of the Institute of Company Secretaries of India.
2. The Appellant vide his application dated 11.01.2022 has requested to provide information through RTI.
3. The Appellant has informed in the instant appeals that "In my RTI application I had referred to CPIO Letter number RTI 2005 of 5181 issued in accordance with the order of the First Appellate Authority in the matter of Appeal number 87 of 2021.

Vide the said letter I was provided copy of ACR however ACR for the period 01 August 2016 to 23 August 2017 was not received. Hence I had once again filed the RTI application seeking the ACR specifically for the period 01 August 2016 to 23 August 2017.

However the PIO in reply referred to its earlier letter in which ACR for the period 01 August 2016 to 23 August 2017 was not made available by the PIO.

Hence I am filing this appeal as the ACR for 01 August 2016 to 23 August 2017 the period was already covered in the Appeal number 87 of 2021 wherein the appellate authority was pleased to order CPIO to provide the ACR.

Kindly allow this appeal and again order the CPIO to provide the ACR for the period 01 August 2016 to 23 August 2017".

4. The reply of the Respondent against the instant appeal is as under:-

"It is to inform that the requisite information as mentioned by the appellant has already been provided by our earlier reply vide letter number RTI 2005/5181/(21) dated 09.02.2022 in accordance with the order of the First Appellate Authority in the matter of Appeal number 87/2021.

It is necessary to mentioned that the ACRs for the period 01.08.2016 – 26.01.2017 and 16.03.2017 – 23.08.2017 has already been provided to the appellant. The same has also inform to the appellant vide letter number RTI 2005/5242/(22) dated 09.02.2022 and received by him. Acknowledgement receipt of Speed Post Tracking is attached for your ready reference.

Further, the ACR for the period 27.01.2017 – 15.03.2017 is not available. This has also inform to the appellant vide letter number RTI 2005/5242/(22) dated 09.02.2022 The public authority under the RTI Act, 2005 is not to create or collate information; or to interpret information. Therefore, the information which is readily available in the format/content can only be provided to the appellant and not as per the choice of the information seeker. The reply(ies) to the query(ies) cannot be created and designed in the manner and wish of the appellant. Therefore, the contents as above made in the RTI reply stands as it is; and are candid.

Please refer order issued on 09.08.2011 in the Civil Appeal No. 6454 of 2011 [Arising out of SLP [C] No. 7526/2009] in the matter of Central Board of Secondary Education & Anr. Vs. Aditya Bandopadhyay & Ors.”

In view of the foregoing, the appeal deserves to be dismissed in-limine.”

5. This Office has carefully considered the application, the response, the appeal and the records made available and finds that the matter can be decided based on the material available on record.
6. This Office concurs with the submission of the Respondent. RTI Act, 2005 does not make it obligatory on the part of the Public Authority to create information or to interpret the information for the purpose of its extraction/dissemination.

The appeal is accordingly disposed of.

Sd/-
(Ankur Yadav)
First Appellate Authority

Copy to :

1. Mr. Sharad Kumar Jhunjhunwala
A-11 Ashok Vihar,
Ranchi- 834002
Jharkhand

2. Mrs. Sarah Arokiaswamy
Central Public Information Officer
The Institute of Company Secretaries of India
ICSI House, 22, Institutional Area
Lodi Road
New Delhi - 110 003

3. Directorate of IT - For publishing on the website

Acknowledgement receipt of Speed Post Tracking is attached

Track Consignment

Quick help

Indicates a required field.

Consignment Number

ED973902076IN

Track More

Booked At	Booked On	Destination Pincode	Tariff	Article Type	Delivery Location	Delivery Confirmed On
Market Road BNPL SP Hub	09/02/2022 18:38:39	834002	70.80	Inland Speed Post	Doranda HO	14/02/2022 17:04:22

Event Details For : ED973902076IN

Current Status : Item Delivery Confirmed

Date	Time	Office	Event
14/02/2022	17:04:22	Doranda HO	Item Delivery Confirmed
14/02/2022	11:41:59	Doranda HO	Out for Delivery
12/02/2022	09:53:09	Doranda HO	Item Received
12/02/2022	04:53:44	MA RANCHI RMS TMO	Item Dispatched
12/02/2022	03:22:36	MA RANCHI RMS TMO	Item Received
12/02/2022	01:28:01	Ranchi NSH	Item Dispatched
11/02/2022	23:49:43	Ranchi NSH	Item Bagged
11/02/2022	20:41:01	Ranchi NSH	Item Received
11/02/2022	12:16:55	MA RANCHI RMS TMO	Item Dispatched
11/02/2022	12:12:37	MA RANCHI RMS TMO	Item Received
10/02/2022	05:38:32	Delhi AP TMO	Item Dispatched
10/02/2022	04:51:54	Delhi AP TMO	Item Received
10/02/2022	01:23:23	Market Road BNPL SP Hub	Item Dispatched
09/02/2022	23:31:32	Market Road BNPL SP Hub	Item Bagged
09/02/2022	18:38:39	Market Road BNPL SP Hub	Item Booked