

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.)

OFFLINE APPEAL (03/2022)

IN THE MATTER OF:

Adv. P.I. Patel  
Nagar- Aurangabad Road, Opp. Top up Petrol Pump,  
Sahara ENT. Near V-Raj Hotel Dsp Chowk,  
Ahmednagar- 414001  
Mobile No. 7020991476

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: 8<sup>th</sup> July, 2022

ORDER

1. The Appellant has filed first offline appeal dated 07.06.2022 (received to FAA Office on 15.06.2022) under Section 19(1) of the Right to Information Act, 2005 in connection with response Ref. No. RTI 2005/5321/(22) dated 01.06.2022 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 offline RTI application dated 10.05.2022 has requested to provide information about Cs Student: 1. List of students registered/enrolled by your institute study of company secretary from Ahmednagar district. 2. List of these who students are doing internship/article ship with company secretary or company. 3. A list of how many of these students requested for permission to study other full time course along with the company secretary and then institute gave them permission. 4. Can student study full time coerce like LLB, LLM, MBA along with the study of company secretary, its provision/rules. All the above information should be obtained along with a detailed certified copy.
3. The Appellant has requested in the instant appeal that "Appellant prey is that to give information of clause 2 & 3 of application and give detail information of clause 4 of application within the instruction provided in parent act."
4. The reply of the Respondent against the instant appeal is as under: -

"Regarding reply to the query numbers 2 and 3:-

The written submission is mentioned below:-

"ICSI is not maintaining the details as sought in the RTI application and as such it can't be provided. Hence, we stand by our RTI reply."

Further, the contents made in the RTI reply stands as it is as the 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. It is also relevant to mention that the reply(ies) to the query(ies) cannot be created and designed in the manner and wish of the appellant. Only such information can be provided which already exists in the readily available form/content with the public authority.

Therefore, the information which is readily available in the format/content can only be provided, not as per the choice of the information seeker.

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.

Regarding reply to the query numbers 4:-


The written submission is mentioned below:-

We reiterate our earlier reply. Further, for details, please contact the Institute from where you are planning to undergo any other course concurrently with CS Course.

Therefore, 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.

  
(Ankur Yadav)  
First Appellate Authority

Copy to :

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3. Directorate of IT - For publishing on the website