

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. 05/2022

IN THE MATTER OF:

Suraj
W Z 747 Badiyal Palam Village
New Delhi New Dada Dev Mandir Road
Delhi- 110045

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: 17th February, 2022

ORDER

1. The Appellant has filed first appeal on 29.01.2022 under Section 19(1) of the Right to Information Act, 2005 in connection with response Ref. No. RTI 2005/5243(22) dated 29.01.2022 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 the information under the RTI Act, 2005.
3. The Appellant has requested in the instant appeals that "Refused access to Information Requested."
4. The reply of the Respondent against w.r.t. query numbers 1, 2, 3 and 5 is as under: -

"The available information has already been provided as per the provisions of RTI Act, 2005. Further, it is to inform that the public authority under the RTI Act, 2005 is not to create or collate information; or to interpret information as per the choice of the information seeker. Therefore, the information which is readily available in the format/content can only be provided to the appellant. 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."

The submission of Directorate of HR w.r.t. query number 4 is mentioned below:-

"It is necessary to state that since the appellant has mentioned the word 'details' in query which is evidently unspecific in expression and therefore, the same has been considered as unspecific. And therefore, 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.

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.

Further, it is also necessary to mention that in case of specific information asked, this information cannot be provided as the same exempted U/S 8(1)(j) of the RTI Act, 2005 as it relates to personal information the disclosure of which has no relationship to any public activity or interest.”

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. It is noted that the queries, even the one where information has been provided under the RTI Act, have been repeated in the Appeal.
6. This Office concurs with the submission of the Respondent.

The appeal is accordingly disposed of.

Sd/-
(Ankur Yadav)
First Appellate Authority

Copy to :

1. Mr. Suraj
W Z 747 Badiyal Palam Village
New Delhi New Dada Dev Mandir Road
Delhi- 110045
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