

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, Sector-62, Institutional Area
Noida - 201 309 (U.P.)

Appeal No.0006/2024

IN THE MATTER OF:

202 Nidhi Plaza-1LSC
Gulabi Bagh
Delhi

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: 18th March 2024

ORDER

- (1) The Appellant has filed first Appeal- No. ICSOI/A/E/24/00006 on 19.02.2024 under Section 19(1) of the Right to Information Act, 2005 in connection with Response Ref No. ICSOI/R/E/24/00001 dated 01.02.2024 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 04.01.2024 has requested to provide the following information:
- i) Please provide me the information for the eligibility status of a ICSI practicing member to join Bachelor of Law simultaneously with CS practice.
 - ii) Please provide me information for the eligibility status of a ICSI member in full time employment to join Bachelor of Law simultaneously with job as a CS.
 - iii) Please provide me information/details for the eligibility status of ICSI student to join Bachelor of Law simultaneously with ICSI course.
 - iv) Please provide the information/details for the eligibility status of ICSI member to contest ICSI Council elections, who has completed his/her CS degree with Bachelor of Law.
 - v) Please provide the information for the President(s), Council Members, Regional Council Members, Chapter Members and other appointed/nominated members who have completed CS course with Bachelor of Law
 - vi) Please provide me the information for the eligibility and validity of ICSI member who are working in one city and completed or doing their Bachelor of Law from other city more than 100 kilometers far.
 - vii) Please provide the copies of all the documents and records requested in above points.
 - viii) Please allot a suitable date and time to inspect the documents related to above points

(3) The Appellant has informed in the instant appeal that “Refused access to Information Requested”.

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

“Written submission to query numbers 1 and 6: - “Our reply remains the same as provided in RTI Reply dated 01.02.2024.”

The query is interrogative in nature and seeking clarification/opinion, therefore, not covered U/s 2(f) of the Right to Information Act, 2005.

Written submission to query number 2: - “No information/document is available.”

Written submission to query number 3: - “CS Course can be pursued concurrently with any academic Course subject to rules and regulation of the concerned Institute/Universities.”

Written submission to query number 4: - “You may refer the Company Secretaries Act, 1980 read with the Company Secretaries (Election to the Council) (Amendment) Rules, 2022.”

Written submission to query number 5: - “Our reply remains the same as provided in RTI Reply dated 01.02.2024.”

The information sought is not maintained in the form as desired by the applicant. Also the time period is not mentioned for which the information is sought.

Written submission to query numbers 7 and 8: - “The query is not specific.”

Further, it is to inform that the “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 made in the RTI Reply stands as it is and the appeal deserves to be dismissed”.

(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.

The appeal is accordingly disposed of.

Sd/-

(Sonia Baijal)
First Appellate Authority

Copy to:

1. 202 Nidhi Plaza-1LSC
Gulabi Bagh, Delhi
2. Mr. Saidutta Mishra
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