

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.00075/2024

IN THE MATTER OF:

Mr. 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 - 110003

Respondent

Date of Order: 14th September 2024

ORDER

- (1) The Appellant has filed first Appeal- No. ICSOI/A/E/24/00075 on 20.08.2024 under Section 19(1) of the Right to Information Act, 2005 in connection with Response vide letter dated 20.08.2024 against the Central Public Information Officer (hereinafter referred to as Respondent) of the Institute of Company Secretaries of India.
- (2) The Appellant vide his RTI Application No. ICSOI/R/T/24/00079 dated 22/07/2024 has requested for following information:

"Please provide the number of professional members professional institutes under jurisdiction of MCA, who have not completed the Continuous Professional Education credit hours prescribed by IBBI, ICSI, ICAI and ICMAI in the year 2023, 2022, 2021, 2020 and 2019"
- (3) The Appellant has submitted in the instant appeal with regards to the reply provided by the Respondent to the RTI queries as under:

"The CPIO has given a vague reply and stated collation of such information of Institute pertaining to professional members under jurisdiction of MCA is not maintained. The CPIO may be asked to provide the available information pertaining to professional member of ICSI. Alternatively, The CPIO may be asked to categorically deny that collation of information relating to ICSI members who have not completed the prescribed credit hours under continuous professional education is not available."
- (4) The reply of the Respondent against the instant appeal is as under: -

"Our reply remains the same as provided in RTI Reply dated 20.08.2024.

Collation of such information of institutes pertaining to professional members under the jurisdiction of MCA is not maintained.

Further, in the RTI Appeal, the RTI Appellant has changed the query of RTI Application dated 22.07.2024, which cannot be changed at the 1st Appeal stage.

Further, the Public Authority under the RTI Act, 2005 is not supposed to create information or to interpret information or to solve the problems raised by the applicants.

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.

This office concurs with the submissions of the Respondent in his reply to the instant appeal.

The appeal is accordingly disposed of.

Sd/-

(Asit Kumar Rath)
First Appellate Authority

Copy to:

1. Mr. Sharad Kumar Jhunjhunwala
A-11, Ashok Vihar, Ranchi - 834002,
Jharkhand
2. Central Public Information Officer
The Institute of Company Secretaries of India
'ICSI House', 22, Institutional Area, Lodi Road,
New Delhi - 110003
3. Directorate of IT - For publishing on the website.