

**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.00097/2024**

IN THE MATTER OF:

Mr. Rohan  
New Delhi

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: 19th October 2024

**ORDER**

- (1) The Appellant has filed first Appeal- No. ICSOI/A/E/24/00097 on 04.10.2024 under Section 19(1) of the Right to Information Act, 2005 in connection with Response vide letter dated 24.09.2024 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/E/24/11696 dated 01/09/2024 has requested for following information:

“Please provide the following details:

1. List of Companies, PCS, and LLP firms registered with ICSI for CS management training as on the date of filing this application, along with contact details of the trainers.
2. Clarification on the calculation of the 21-month CS management training period:
  - Whether Sundays are included in the 21-month training period.
  - Whether each month is counted as 30 days, including national holidays and Sundays. - Whether leaves provided under the new training guidelines, including Sundays and National holidays are included in the 21-month period.
  - Whether company-specific off-days (e.g., Saturdays) are included in the 21-month training period.
3. The date considered as the commencement of training in both cases:
  - Students undergoing training at a firm.
  - Students undergoing training in a company.

Please provide the above information as per the provisions of the RTI Act, 2005.”

- (3) The Appellant has submitted in the instant appeal with regards to the reply provided by the

Respondent to the RTI queries as under:

"I, Rohan, filed an RTI application on 1 September 2024 under Section 6 of the RTI Act, seeking details regarding the list of companies, PCS, and LLP firms registered with ICSI for CS management training, including contact details of trainers. However, the response dated 24 September 2024 was incomplete, particularly in respect to Point No. 1, where I had requested the list of companies. The response fails to adequately address this specific request.

Grounds for Appeal:

1. Non-Compliance with Section 7(9): Under Section 7(9) of the RTI Act, information must be provided in the form sought unless doing so would disproportionately divert resources. The list of companies that I requested is an essential record that should be readily available, and providing this does not involve any such disproportionate effort.
2. Absence of Justified Exemptions under Sections 8 or 9: The CPIO did not cite any valid exemption under Sections 8(1) or 9 of the RTI Act for withholding this critical information. It is mandatory under the RTI Act to disclose the requested data unless specific legal exemptions apply, none of which were mentioned or appear relevant here.
3. Violation of Section 4(1)(b): Proactive Disclosure Requirement: The RTI Act imposes on public authorities a duty to proactively disclose certain categories of information under Section 4(1)(b). The list of companies registered for CS management training is clearly of public interest and should have been made available proactively without even the need for an RTI request, let alone being denied when requested.
4. Public Interest Argument: The requested information serves a significant public interest, especially for CS students who are required to undergo management training. Withholding this list of companies obstructs students' access to crucial information, which is against the transparency principle that the RTI Act stands for.

Relief Sought:

Pursuant to Section 19(1) of the RTI Act, 2005, I hereby file this first appeal and request the Appellate Authority to direct the CPIO to provide the complete list of companies registered with ICSI for CS management training, including their contact details of trainers as requested in my original RTI application. Should this information continue to be withheld, I also request that appropriate action under Section 20(1) of the Act be considered, imposing penalties for any refusal to provide information without reasonable cause."

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

"Written submission to Query number 1 :- "Our reply remains the same as provided in RTI reply dated 24.09.2024."

"The information sought is personal information, the disclosure of which has no relationship to any public activity or interest and hence exempted under section 8(1)(j) of the RTI Act, 2005."

"Written submission to query numbers 2 and 3 :- "The information is in public domain and

available at the website of the Institute at weblink:  
<https://www.icsi.edu/media/webmodules/ICSISStudentTrainingGuidelines15012024.pdf>  
.”

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. 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.

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. Rohan  
New Delhi
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.