

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. 02/2022

IN THE MATTER OF:

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 - 110 003

Respondent

Date of Order: 8th February, 2022

ORDER

1. The Appellant has filed first appeal on 10.01.2022 under Section 19(1) of the Right to Information Act, 2005 in connection with response Ref. No. RTI 2005/5228 (21) dated 10.01.2022 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 16.12.2021 has requested to provide information through RTI.
3. The Appellant has informed in the instant appeals that "Appeal 89 of 2021 was disposed off saying query is not specific Now the information has been refused saying query is not maintained in form and content as desired it appears that CPIO does not want to reply and keeps taking new grounds for denying information The CPIO may be directed to provide information in whatsoever form and content the information is available."
4. The reply of the Respondent against the instant appeal is as under:-

"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 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.

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 or collect information or to interpret the information.

The appeal is accordingly disposed of.

Sd/-
(Ankur Yadav)
First Appellate Authority

Copy to :

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2. Mrs. Sarah Arokiaswamy
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3. Directorate of IT - For publishing on the website