

**OFFICE OF THE FIRST APPELLATE AUTHORITY**

(Appointed under 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. 5/2020**

IN THE MATTER OF:

Deepak Shenoy

B 1063, Spring, Sanghvi S3 Ecocity CHS

Maharajwadi, Kashi Mira, Mira road

Thane

Maharashtra – 401 107

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 : 29<sup>th</sup> January, 2020**

**ORDER**

1. The Appellant has filed first appeal on 21<sup>st</sup> January, 2020 under section 19(1) of the Right to Information Act, 2005 against response issued vide letter Ref. No. RTI 2005/2943(19) dated 17.01.2020 by 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 19.12.2019 had requested to provide certain information pertaining to the Programme Credit Hours(PCH).
3. The Respondent vide letter dated 17.01.2020 issued the response to the Appellant.
4. The Appellant has informed in the instant appeal that the Respondent has refused to provide the information and submitted as under :

*"These cannot be denied because ICSI as a Institute for members is required to monitor compliance with requirement of Programmed Credit Hours by members. If ICSI does not have these data, how ICSI is performing is functions efficiently. Why ICSI awards PCH and why ICSI conducts programs"*

Contd..2...

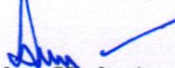
5. The Respondent has informed against the instant appeal as under :

*"We reiterate our reply given in the RTI 2943. Further, it is necessary to mention that the public authority under the Right to Information Act, 2005 is not to create the information or interpret information. Only such information can be provided which already exists with the public authority. 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. Regarding the last para of the first appeal, i.e. If the ICSI does not have this data .....It is pertinent to mention that the points raised need no reply and must be dismissed and the same was not asked by the RTI applicant (appellant herein) in his RTI application and are also plainly interrogative in nature and seeking clarification."*

6. 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.

7. This Office concurs with the submissions of the Respondent.

The appeal is accordingly dismissed.

  
(Ankur Yadav)  
First Appellate Authority

Copy to :

1. Mr. Deepak Shenoy  
B 1063, Spring, Sanghvi S3 Ecocity CHS  
Maharajwadi, Kashi Mira, Mira road  
Thane  
Maharashtra - 401 107
2. Mr. Surya Narayan 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