

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. 30/2019

IN THE MATTER OF:

Lalitkumar A. Ganatra
17, Shivam Complex
Junagadh Road
Jetpur
Gujarat -360 370

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 : 10th October, 2019


ORDER

1. The Appellant has filed first appeal dated 18th September, 2019 under section 19(1) of the Right to Information Act, 2005 against information provided vide letter Ref. No. RTI 2005/2408(19) dated 17th September, 2019 by the Central Public Information Officer (CPIO) (hereinafter referred to as Respondent) of the Institute of Company Secretaries of India.
2. The Appellant had submitted an application under the RTI Act wherein he requested for information on "Whether Practicing Company Secretary (i) can do work of E-Stamping; (ii) require prior permission to do such work of E Stamping; (iii) eligible for permission to do such work of E Stamping as announced by Gujarat State Govt. on 3rd September, 2019; (iv) can have business income under HUF or can earn income under Hindu Undivided Family HUF."

Contd..2...

3. The Respondent had informed the Appellant vide letter dated 17.09.2019 that the queries are in the nature of seeking opinion and so does not fall within the definition of 'information' under Section 2(f) of the Right to Information Act, 2005.
4. In the instant appeal, the Appellant has informed that "I have not asked for opinion. I disagree with your decision dated 17th September, 2019. Just asked 4 questions and required answer with yes or no."
5. The Respondent has informed against the instant appeal that the earlier reply is reiterated and the Appellant was seeking clarification/ opinion.
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. Lalitkumar A. Ganatra
17, Shivam Complex
Junagadh Road
Jetpur
Gujarat -360 370
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