

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. 47/2019

IN THE MATTER OF:

C J Mathew
5b, Trinity Crown
Trinity Apartments
Edapally
Kochi
Kerala – 682 024

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 : 15th January, 2020

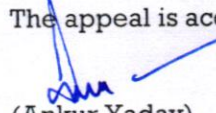
ORDER

1. The Appellant has filed first appeal on 17th December, 2019 (received in this Office on 24th December, 2019) under section 19(1) of the Right to Information Act, 2005 against response issued vide letter Ref. No. RTI 2005/2919(19) dated 12.12.2019 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 05.11.2019 had requested to provide certified copy (bearing seal and signature) of the prima facie opinion of Director (Discipline) interim and final orders of the Disciplinary Committee in the Complaint against Shri Gopi Mohan (DC 112/2011).
3. The Respondent vide letter dated 05.12.2019 had informed the Appellant that a copy of the prima-facie opinion of the Director (Discipline) dated 9th November, 2016 and the Orders passed in the matter in case bearing No. DC 112/2011 have already been sent to him through speed post and the same was delivered as per speed post tracking details.
4. The Appellant in the instant appeal has informed that there is no provision for denying the information under the RTI Act on the pretext that the information was provided earlier.
5. The Respondent has informed against the instant appeal that the Appellant has time and again asked for information pertaining to complaint of professional misconduct filed by him against Shri K P Gopi Mohan (DC 112/2011).

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6. The Respondent has referred the Order in the matter of (Mr. Ramesh Chand Jain Vs. DTC), File No. CIC/AD/A/2013/001326SA vide its Order dated 25th June, 2014. In the said Order, CIC has observed that cases of disclosure of information to repetitive applicants for their private purpose which promotes their private interest but not the public interest would cause substantial harm to the legitimate aim of the RTI Act.
7. In the said Order, the CIC inferred that though RTI Act do not specifically provides ground of refusing the information, it is implied from the objective and various provisions of the RTI Act that right of citizen to information is limited to one time and does not extend to repetition of request for that directly or indirectly.
8. The CIC further observed as under :
 - "a) The citizen has no right to repeat the same or similar or slightly altered information request under RTI Act, 2005, for which he already got a response.
 - b) Once an RTI application is answered, the appellants shall refrain themselves from filing another RTI application against the public authority as once information is received and held by them or posted in public domain, because such information is deemed to have ceased to be 'held' by the public authority."
9. The Respondent has informed that in view of the above referred Order of CIC, the reply earlier given is reiterated and stands as it is.
10. 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.
11. This Office concurs with the submissions of the Respondent.

The appeal is accordingly dismissed.


(Ankur Yadav)
First Appellate Authority

Copy to :

1. Mr. C J Mathew
5b, Trinity Crown
Trinity Apartments
Edapally
Kochi
Kerala - 682 024
2. Mr. Surya Narayan Mishra
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3. Directorate of IT For publishing on the website