

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. 71/2021

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: 2nd November, 2021

ORDER

1. The Appellant has filed first appeal on 08.10.2021 under Section 19(1) of the Right to Information Act, 2005 in connection with response Ref. No. RTI 2005/5157(21) dated 08.10.2021 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 21.09.2021 has requested to provide information through RTI.
3. The Appellant has informed in the instant appeals that "CPIO states that information is not maintained in form/content.

The information may be provided in whatsoever form the same is available."

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

"The contents made in the RTI reply stands as it is as the RTI Act, 2005 does not make it obligatory on the part of the Public Authority to create information or to interpret the information for the purpose of its extraction/dissemination.

It is relevant to mention that the reply(ies) to the query(ies) cannot be created and designed in the manner and wish of the appellant. Only such information can be provided which already exists in the readily available form/content with the public authority.

Further, it is also necessary to mention that he is seeking information afresh in the first appeal by requesting to provide the information in whatsoever format it is maintained. Therefore, the information which is readily available in the format/content can only be provided, not as per the choice of the information seeker.

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.

In view of the foregoing, the information sought cannot be provided and 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 information or to interpret the information for the purpose of its extraction/dissemination.

The appeal is accordingly dismissed.

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