

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, Sector-62, Institutional Area
Noida - 201 309 (U.P.)

Appeal No.00065/2024

IN THE MATTER OF:

Shri Shibashish Sahu
2/23, Ashok Nagar Road, Chanditalla,
Kolkata, Pin - 700013

Appellant

Vs.

Central Public Information Officer
The Institute of Company Secretaries of India
'ICSI House', 22, Institutional Area, Lodi Road,
New Delhi - 110003

Respondent

Date of Order: 12th June, 2024

ORDER

- (1) The Appellant has filed first Appeal- No. ICSOI/A/E/24/00065 on 16.05.2024 under Section 19(1) of the Right to Information Act, 2005 in connection with Response vide letter dated 06.05.2024 against the Central Public Information Officer (hereinafter referred to as Respondent) of the Institute of Company Secretaries of India.
- (2) The Appellant vide his RTI Application No. ICSOI/R/E/24/08001 dated 18.04.2024 has requested to provide following information regarding the Executive Development Program (EDP) conducted at ICSI-EIRC (Eastern India Regional Council of the ICSI) from the 12th EDP batch to the 20th EDP batch:
 - a) The total number of faculty members and students who participated in the Executive Development Program at ICSI-EIRC from the 12th EDP batch to the 20th EDP batch.
 - b) The names of the faculties who conducted sessions during the Executive Development Program from the 12th EDP batch to the 20th EDP batch at ICSI-EIRC.
 - c) Details of the remuneration or amount given to each faculty member for conducting sessions during the Executive Development Program from the 12th EDP batch to the 20th EDP batch at ICSI-EIRC. Additionally, please provide information on any faculty members who did not claim their remuneration from ICSI-EIRC during this period.
 - d) The names of faculty members who received the highest feedback from the Executive Development Program students during the sessions from the 12th EDP batch to the 20th EDP batch at ICSI-EIRC. Furthermore, please provide information on faculty

members who received the lowest feedback during the same period.

(3) The Appellant has submitted in the instant appeal that in the response provided by the Respondent, the denial of the information under Sections 8(1)(d) and 8(1)(j) of the RTI Act, is incorrect and not applicable to the information requested. Query wise detailed submissions of the Appellant are as follows:

- a) For aforesaid query no. c): The denial of the information under Sections 8(1)(d) and 8(1)(j) is not justified. Disclosure of remuneration details increases transparency and accountability in the financial dealings of a public authority. The public, including members & students of ICSI have the right to know how funds are being utilized, and revealing this information would promote fairness and trust. Furthermore, it is important to identify those who provide services without claiming remuneration, as it reflects their commitment and service to the institution.
- b) For aforesaid query no. d): The denial of this information under Sections 8(1)(d) and 8(1)(j) is also unjustified. Providing feedback details about faculty members helps in assessing the quality of education and training being imparted. It enables students and stakeholders to understand the strengths and areas for improvement of the faculty. This transparency is crucial for the continuous improvement of the EDP, and the overall quality of the programs offered. The information requested does not fall under the purview of trade secrets, commercial confidence, or personal information that would cause an unwarranted invasion of privacy. Instead, it pertains to the financial and performance aspects of public interest, fostering an environment of openness and accountability.

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

“Since the RTI application pertains to the EIRO of the ICSI, therefore, the CPIO has asked for written submission from the concerned Regional Office for the same. Their submission is mentioned below:

Written submission to query numbers 1 and 2: The information have been provided.

Written submission to query number 3: Our reply remains the same as it is exempted under Section 8(1)(d) and 8(1)(j) of the RTI Act, 2005.

Written submission to query number 4: Our reply remains the same as it is exempted under Section 8(1)(e) and 8(1)(j) of the RTI Act, 2005.

The Public Authority under the RTI Act, 2005 is not supposed to create information or to interpret information or to solve the problems raised by the applicants.

Therefore, the contents made in the RTI Reply stands as it is, and the appeal deserves to be dismissed.”

(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.

This office concurs with the overall submissions of the Respondent.

The appeal is accordingly disposed of.

Sd/-
(Asit Kumar Rath)
First Appellate Authority

Copy to:

1. Shri Shibashish Sahu
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3. Directorate of IT - For publishing on the website