

OFFICE OF THE FIRST APPELLATE AUTHORITY

(Appointed under Right to Information Act, 2005)

The Institute of Company Secretaries of India

ICSI House, C-36-37, Institutional Area, Sector-62

Noida – 201 309 (U.P.)

Appeal No. 24/2017

IN THE MATTER OF :

Usha Dayanand Sonavane
C/o 2/71, Subhash Nagar
N G Acharya Marg
Chembur
Mumbai-400 071

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 : 30th November, 2017

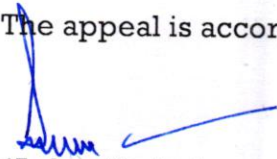
ORDER

1. The Appellant has filed first appeal dated 2nd November, 2017 (received in this Office on 06.11.2017) under section 19(1) of the Right to Information Act, 2005 against information provided vide letter Ref.No. RTI 2005/1958(17) dated 18th October, 2017 by the Central Public Information Officer (CPIO) (hereinafter referred to as Respondent) of the Institute of Company Secretaries of India.
2. In this appeal, the Appellant has requested for providing information on whether her personal medical history was provided to Mr. D V N S Sharma and whether Mr. D V N S Sharma has made any application to seek such documents from Institute's Head Office.
3. The Respondent had informed vide letter dated 18.10.2017 that the queries are not clear.
4. The Respondent has further submitted that Section 2(f) of the RTI Act lays down the scope and the type of information an applicant can seek and the underlying idea is that the applicant's entitlement of information is only in respect of categories of information mentioned in Section 2(f) read with Section 2(i) and 2(j).
5. The Respondent has further submitted that it is not open to an applicant to ask, in the guise of seeking information, queries to public authorities about the nature and quality of their actions.



6. The Respondent has further submitted that the queries of the Appellant was ambiguous and reflected that she was enquiring about the nature and quality of action taken by the Institute in the guise of seeking information and therefore the clarity of the Appellant's queries could not be established.
7. It has been noted that opportunity was given to the Appellant to be present in this Office on 17th November, 2017 in order to enable proper appreciation of facts and figures, which was not availed by the Appellant.
8. 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.
9. This Office concurs with the submissions of the Respondent hereinabove.

The appeal is accordingly dismissed.


(Ankur Yadav)
First Appellate Authority

Copy to :

1. Ms. Usha Dayanand Sonavane
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2. Mr. Ashok Kumar Dixit
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3. Directorate of IT For publishing on the website