

OFFICE OF THE FIRST APPELLATE AUTHORITY

(Under the Right to Information Act, 2005)
The Institute of Company Secretaries of India
ICSI House, 22 Institutional Area, Lodi Road
New Delhi

Appeal No. 4/2017

IN THE MATTER OF :

Chitta Ranjan Dash
Dy. General Manager (Internal Audit)
Internal Audit Department
Oil India Limited
At /PO Dulijan
Dibrugarh District
Assam – 786 602

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 : 14th March, 2017

ORDER

1. The appellant had filed an appeal dated 11th February, 2017 (received in this office on 14th February, 2017) under Section 19(1) of the Right to Information Act, 2005 (hereinafter referred to as "RTI Act") in response to the information supplied vide letter bearing No. RTI 2005/1771/(16) dated 20th December, 2016 by the Central Public Information Officer (hereinafter referred to as "Respondent") of The Institute of Company Secretaries of India, ICSI House, 22, Institutional Area, Lodi Road, New Delhi-110 003.
2. I have carefully considered the application, the response, the appeal and the records made available to me and I find that the matter can be decided based on the material available on record.
3. In this appeal, the appellant has requested for names of the students qualified CS Final Examinations held in June, 2013 and December, 2013 Sessions from Guwahati Centre together with percentage of marks.



4. The respondent has informed that the information sought is exempted under Section 8(1)(j) of the RTI Act, 2005 is personal information and the disclosure of the same may cause unwarranted invasion of privacy of the individual.
5. I note that an opportunity was given to the Appellant and the Respondent to be present in the Office of the undersigned at ICSI House, C-37, Sector-62, Noida – 201 309 (UP) on 6th March, 2017 in order to enable proper appreciation of facts and figures, which was not availed by the Appellant.
6. The respondent has further informed that the CIC Order in Case No. CIC/SA/C/2016/900122 dated 22.12.2016 has been stayed by Hon'ble High Court of Delhi vide Order dated 23.01.2017 in Case No. W.P.(C) 600/2017. In the said order, the Hon'ble High Court of Delhi has referred to the decision of the Hon'ble Supreme Court in Case Ref.No. (2011) 8 SCC 497 (CBSE and Another Vs. Aditya Bandopadhyay & Others) wherein it is mentioned that there is no obligation under the RTI Act, to give to third parties any information available to a person in his fiduciary capacity.

After careful consideration of the appeal and the response issued by the respondent and the decisions of the Hon'ble High Court/ Supreme Court, I agree with the view of the respondent and the disclosure of the information may cause unwarranted invasion of privacy of the individual.

The appeal is accordingly dismissed.


(Ankur Yadav)

First Appellate Authority

Copy to :

- By Speed Post :1. Mr. Chitta Ranjan Dash
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At /PO Dulijan
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- By Hand 2. Mr. Ashok Kumar Dixit
Central Public Information Officer
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- By Email 3. Dte. of IT ...For publishing on the website.