

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. 1/2017

IN THE MATTER OF :

Sanjaykumar P. Thakkar
H-606, Titanium
City Center,
Nr. Sachin Tower,
Anand Nagar Road,
Satellite,
Ahmedabad

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 February, 2017

ORDER

1. The appellant filed an appeal dated 12th January, 2017 under Section 19(1) of the Right to Information Act, 2005 (hereinafter referred to as "RTI Act") in response to information provided vide letter Ref. No. RTI 2005/1776(17) dated 12th January, 2017 by the Central Public Information Officer (CPIO) (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 data of Members of the Institute in MS Excel format in a CD/DVD.

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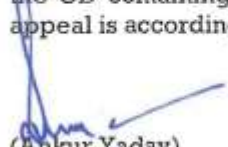


4. The respondent vide letter No. RTI 2005/1776(16) dated 12th January, 2017 had informed the appellant that the information as sought by him is available on the website of the Institute at the link : <https://www.icsi.edu/Member/MembersDirectory.aspx>
5. The respondent further informed vide his letter dated 12.01.2017 that the appellant may purchase CD containing the List of Members as on 01.04.2016 at a cost of Rs.500/- (applicable for non-members) or Rs.250/- (applicable for members).
6. The appellant has informed that he had sought the information in MS Excel Format option which is not available at the given link on the website and the cost of information to be provided in a CD must be Rs.50/- as per RTI Act 2005. The appellant further informed that it has not been clarified whether the CD containing the information regarding members will be in MS Excel Format or not.
7. The respondent has informed that data of all the members is available at the given weblink as against the requirement of appellant to provide data of all the members at cost of Rs.50/- in MS Excel format. The respondent has stated that the requisite information is available only in PDF format in Compact Disc(CD) of the List of Members as on 01.04.2016 at the cost of Rs.500/- (for non-members) or Rs.250/- (for members).
8. The respondent has further informed that the information contained in CD is in PDF format only to ensure that data of members is not easily manipulated / tampered for any misuse.
9. The respondent has stated that the role of public authority under the RTI Act is not to create information or to interpret the information. Only such information can be provided which already exists with the public authority. Therefore, the information which is readily available in the format/ content can only be provided to the appellant and not as per the choice of the information seeker.
10. The respondent has stated that as per the Company Secretaries Regulations, 1982, "copies of the list in print or Compact Disc or in other electronic form, as the case may be, shall also be made available to others on payment of the amount as determined by the Council" and the cost of the CD containing the list of members is presently Rs.500/- (for non-members) and Rs.250/- (for members) determined by the Council.

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After careful consideration of the appeal and the response issued by the respondent, this office agrees with the explanation provided by the respondent that the information will not be created or interpreted and only the available information in respective formats shall be disclosed under the RTI Act. The appellant may procure the CD containing the List of Members against remittance of applicable cost. The appeal is accordingly dismissed.



(Ankur Yadav)

First Appellate Authority

Copy to :

1. Mr. Sanjaykumar P. Thakkar
H-606, Titanium
City Center,
Nr. Sachin Tower,
Anand Nagar Road,
Satellite,
Ahmedabad
2. Mr. Ashok Kumar Dixit
Central Public Information Officer
The Institute of Company Secretaries of India
ICSI House, 22 Institutional Area
Lodi Road
New Delhi - 110 003
3. Directorate of IT For publishing on the website