

OFFICE OF THE FIRST APPELLATE AUTHORITY

(Appointed under 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. 49/2019

IN THE MATTER OF:

B Vinay Reddy

H.No. 2-2-15/1, Street:Pitlambase

Landmark: Near Bhahmam Gari Temple

Medak Town, Medak

Telangana

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 : 23rd January, 2020

ORDER

1. The Appellant has filed first appeal on 30th December, 2019 under section 19(1) of the Right to Information Act, 2005 against response issued vide letter Ref. No. RTI 2005/2929(19) dated 27.12.2019 by 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 02.12.2019 had requested to provide the following information :

"1. Year wise, Attempt wise or in whatsoever manner maintained by the ICSI No.of STUDENTS applied for INSPECTION OF ANSWER SCRIPTS as per INSTITUTE PROCEDURE for the period 2010 to 2019 (Including June 2019 attempt) at A. Foundation Programme B. Executive Programme C. Professional Programme 2. Year wise, Attempt wise or in whatsoever manner maintained by the ICSI Total No.of ANSWER SCRIPTS provided FOR INSPECTION OF ANSWER SCRIPTS as per INSTITUTE PROCEDURE for the period 2010 to 2019 (Including June 2019 attempt) at A. Foundation Programme B. Executive Programme C. Professional Programme

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3. Year wise, Attempt wise or in whatsoever manner maintained by the ICSI No. of STUDENTS applied for INSPECTION OF ANSWER SCRIPTS under RIGHT TO INFORMATION ACT, 2005 (RTI) for the period 2010 to 2019 (Including June 2019 attempt) at A. Foundation Programme B. Executive Programme C. Professional Programme 2. Year wise, Attempt wise or in whatsoever manner maintained by the ICSI Total No. of ANSWER SCRIPTS provided FOR INSPECTION OF ANSWER SCRIPTS under RIGHT TO INFORMATION ACT, 2005 (RTI) for the period 2010 to 2019 (Including June 2019 attempt) at A. Foundation Programme B. Executive Programme C. Professional Programme."

3. The Respondent vide letter dated 27.12.2019 had informed the Appellant as under :

"Reply to query numbers 1 and 2:-

A) :-There is no answer book in Foundation Programme as the examination is conducted through online mode, i.e. Computer Based Examination (CBE).

B) & C):-The information is not maintained in the form/content as desired by you . Further, it is necessary to mention that the public authority under the Right to Information Act, 2005 is not to create the information or interpret 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.

Reply to query number 3:-

A), B) and C):-The information is not maintained in the form/content as desired by you . Further, it is necessary to mention that the public authority under the Right to Information Act, 2005 is not to create the information or interpret information. Only such information can be provided which already exists with the public authority. Therefore, the information which is readily available in the form/content can only be provided to the appellant and not as per the choice of the information seeker.

Reply to query number 4:- None "

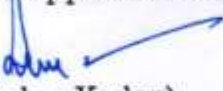
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4. The Appellant in the instant appeal has informed as under :

"PIO has only responded vide letter dated 27.12.2019, stating INFORMATION IS NOT AVAILABLE – NOT MAINTAINED IN THE FORMAT but I am not satisfied with the partial/incomplete information provided by PIO."

5. The Respondent has informed against the instant appeal that the reply earlier given is reiterated and stands as it is.
6. It has been noted that opportunity was given to the Appellant to be present in this Office on 22nd January, 2020 in order to enable proper appreciation of facts and figures, which was not availed by the Appellant.
7. 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.
8. This Office concurs with the submissions of the Respondent.

The appeal is accordingly dismissed.


(Ankur Yadav)
First Appellate Authority

Copy to :

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3. Directorate of IT For publishing on the website