

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. 26/2019

IN THE MATTER OF:

Prashant Tiwari
Near Shiv Shakti Mandir
Vijay Nagar, Shankar Nagar
Durg
Chattisgarh – 491 001

Appellant

Vs.

Central Public Information Officer
The Institute of Company Secretaries of India
'ICSI House'
22, Institutional Area, Lodi road
New Delhi – 110 003

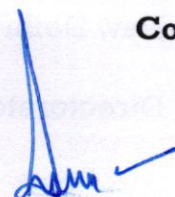
Respondent

Date of Order : 5th September, 2019

ORDER

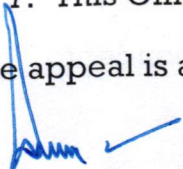
1. The Appellant has filed first appeal dated 27th August, 2019 under section 19(1) of the Right to Information Act, 2005 against information provided vide letter Ref. No. RTI 2005/2308(19) dated 2nd August, 2019 by the Central Public Information Officer (CPIO) (hereinafter referred to as Respondent) of the Institute of Company Secretaries of India.
2. The Appellant has mentioned under the ground for appeal that the Respondent has provided incomplete, misleading or false information.
3. The Appellant has informed that the information as available in original form is to be provided.

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4. The Respondent had informed against the RTI application that "Member-wise data, year-wise is not maintained with regard to complaints received in the Disciplinary Directorate of the ICSI. It may be mentioned that the authority can only provide information which is available with it under the Right to Information (RTI) Act, 2005, therefore, the information sought is not covered u/s 2(f) of the RTI Act, 2005."
5. The Respondent has informed against the instant appeal that the Disciplinary Directorate reiterate its reply, as the basis of appeal is hypothetical and devoid of any merit.
6. 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.
7. This Office concurs with the submissions of the Respondent.

The appeal is accordingly dismissed.


(Ankur Yadav)

First Appellate Authority

Copy to :

1. Mr. Prashant Tiwari
Near Shiv Shakti Mandir
Vijay Nagar, Shankar Nagar
Durg
Chattisgarh - 491 001
2. Mr. Surya Narayan Mishra
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