

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. 35/2019

IN THE MATTER OF:

Amar Agarwal
Ingle Sahab Ka Bada
Shri Ram Kripa
Madhya Pradesh – 474 009

Appellant

Vs.

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

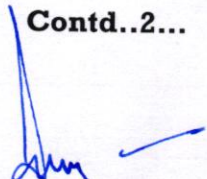
Respondent

Date of Order : 24th October, 2019

ORDER

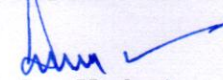
1. The Appellant has filed first appeal dated 10th October, 2019 under section 19(1) of the Right to Information Act, 2005 against information provided vide letter Ref. No. RTI 2005/2602(19) dated 10.10.2019 by the Central Public Information Officer (CPIO) (hereinafter referred to as Respondent) of the Institute of Company Secretaries of India.
2. The Appellant had submitted an application under the RTI Act wherein he requested for copies of his Answer Books pertaining to June, 2018 and December, 2018 sessions of CS Examinations.
3. The Respondent had informed against the RTI application that "The Answer Books of June, 2018 and December, 2018 sessions of the examinations have already been disposed off under the Record Retention Schedule of Directorate of Examination of the ICSI."
4. The Respondent has submitted against the instant appeal that "I request to kindly provide answer books as ICSI must have stored the books in soft copies in their system as I have requested for copies of last attempt only."

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5. The Respondent has further submitted that the contents of the RTI reply stands as it is.
6. The Respondent has further submitted 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.
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 :

1. Mr. Amar Agarwal
Ingle Sahab Ka Bada
Shri Ram Kripa
Madhya Pradesh - 474 009
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