

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. 43/2019

IN THE MATTER OF:

B Vinay Reddy

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

Landmark : Near BrahmamGari Temple

Medak Town, Medak

Telangana-502 010

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 : 18th December, 2019

ORDER

1. The Appellant has filed first appeal dated 2nd December, 2019 under section 19(1) of the Right to Information Act, 2005 against response issued vide letter Ref. No. RTI 2005/2819(19) dated 30.10.2019 by the Central Public Information Officer (CPIO) (hereinafter referred to as Respondent) of the Institute of Company Secretaries of India.
2. The Appellant vide his application dated 06.10.2019 had requested for various guidelines pertaining to issue of Certified Copy of Answer Books/ Inspection of Answer Books/ Verification of Marks in the Institute.
3. The Respondent had furnished the information to the Appellant vide letter dated 30.10.2019.

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

"I have filed an RTI Application dated 04-10-2019 seeking specific Information under the RTI Act, 2005 from the PIO, ICSI.

In response to the aforesaid request, PIO has only responded vide letter dated 30.10.2019, but I am not satisfied with the partial/incomplete information provided by PIO.

I appeal, to direct the PIO to provide complete information with respect to below mentioned to points in the RTI request made by me:

1. For the points (6) (7) (10) , PIO has denied the information stating the same is not maintained in the form/content, therefore, not readily available and not covered U/s 2(f) of Right to Information Act, 2005.

I was asked for No. of applications filed under the RTI and Institute Procedure seeking certified copies of answer scripts for the period 2010 to 2019.

Request you to direct the CPIO to provide the information in the manner available/maintained by the CPIO.

2. For the points (12) (15), PIO has denied the information stating the same is not maintained in the form/content, therefore, not readily available and not covered U/s 2(f) of Right to Information Act, 2005.

I was asked for Revenue through Certified Copies, Request you to direct the CPIO to provide the information in the manner available/maintained by the CPIO. I appeal to direct PIO to provide the same."

5. The Respondent has informed against the instant appeal as under :

"We reiterate our reply given to the applicant (appellant herein). 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.

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: 3 :


It is pertinent to mention that he is seeking information afresh in the first appeal by providing / mentioning the manner for information which he had not asked in the RTI application earlier; for which he may seek the information, anew by mentioning the specific manner for the information.

Further, it may be noted that the reply against the RTI application was sent on 31.10.2019 and the 1st appeal dated 02.12.2019 received in the Institute on 02.12.2019, therefore, without going into the merit of the appeal, it is observed that the appellant has preferred this 1st appeal after the prescribed period for preferring an appeal (i.e. within 30 days from receipt of reply of RTI application) under Section 19(1) of the RTI Act, 2005."

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 :

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3. Directorate of IT For publishing on the website