

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. 45/2019

IN THE MATTER OF:

Anil Chakravorty
A 1303, Third Floor
Akansha Apartments
Near Talati Office, Nalasopara (East)
Thane – 401 209

Appellant

Vs.

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

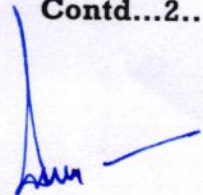
Respondent

Date of Order : 18th December, 2019

ORDER

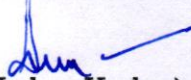
1. The Appellant has filed first appeal vide his E-Mail dated 14th December, 2019 under section 19(1) of the Right to Information Act, 2005 against response issued vide letter Ref. No. RTI 2005/2934(19) dated 05.12.2019 by the Central Public Information Officer (CPIO) (hereinafter referred to as Respondent) of the Institute of Company Secretaries of India.
2. The Appellant vide his application dated 02.12.2019 had requested for copies of the answer books pertaining to his appearance vide Roll No. 318451 in December, 2016 Session of CS Professional Programme Examinations.
3. The Respondent vide letter dated 05.12.2019 had informed the Appellant that the answer books of June, 2019 session of examination have been disposed off as per retention schedule of the Directorate of Examination of the ICSI.
4. The Appellant in the instant appeal has informed that "he does not accept the impugned reply since the procedure prescribed by the Institute for obtaining the desired information under the RTI Act 2005 does not mention about the denial of information due to disposal of records."

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5. The Respondent has informed against the instant appeal that "The Answer Books upto June, 2019 Session of Examinations have been disposed off as per Retention Schedule of the ICSI. Hence, the information sought can not be provided."
6. The Respondent has further informed that the public authority under the RTI Act is not to create the documents/ information or interpret information. Only such documents/ information can be provided which already exists with the public authority. Therefore, the documents/ 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.
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. Anil Chakravorty
A 1303, Third Floor
Akansha Apartments
Near Talati Office, Nalasopara (East)
Thane - 401 209
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