

OFFICE OF THE FIRST APPELLATE AUTHORITY
(Appointed under the 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. 11/2022

IN THE MATTER OF:

Vivek Meena
160 Vishvakarma Nagar First, Maharani Farm,
Durgapura,
Jaipur-302018
Rajasthan

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: 25th March, 2022

ORDER

- i. The Appellant has filed first appeal on 03.03.2022 under Section 19(1) of the Right to Information Act, 2005 in connection with response Ref. No. RTI 2005/5250(22) dated 22.02.2022 against the Central Public Information Officer (CPIO) (hereinafter referred to as Respondent) of the Institute of Company Secretaries of India.
 - ii. The Appellant vide his application dated 25.01.2022 has requested to provide the information under the RTI Act, 2005.
 - iii. The Appellant has requested in the instant appeals that "This Appeal is in reference with the RTI Application No. ICSOI/R/E/22/00036. The applicant has not received complete information as required under RTI Act.
1. In Point No. 01 (II), (IV a to h) No information has been provided by ICSI stating that Collation of such information is not maintained by ICSI. Whereas under the Provisions of RTI ACT, 2005 Public Authority has the responsibility of providing information which is readily available and which is in control of Public Authority. Applicant wants to mention that ICSI has already linked the Credit Hours with the payment of Annual Membership/COP fee for the Financial Year 2022-23. So it is quite obvious that after linking the credit hours with payment of membership fees, ICSI has sufficient information which is requested by the applicant. So as per the above mentioned facts applicant should be provided with the requested information as this information is readily available and are in control with ICSI.
 2. For point no.03 complete information has not been provided by ICSI. ICSI has not provided any information about the, which level (foundation, executive, professional) marks are being considered and included in the said 55% criteria. So please provide the complete information in this matter.
 3. For point no. 04 complete information has not been provided by ICSI. The information bulletin which was mentioned by ICSI does not contain any Information on subject availability for Company Secretaries for appearing in UGC NET. So please provide the complete information.

Therefore the Applicant requests your good office to provide the complete information which was denied in the original application.”

iv. The reply of the Respondent against the instant appeal is as under: -

“Submission against query numbers 1 (II) and (IV - a to h) is mentioned below:-

“ICSI is not maintaining the details as sought in the RTI application and as such it can't be provided. Hence, we stand by our RTI reply.”

Please refer order issued on 09.08.2011 in the Civil Appeal No. 6454 of 2011 [Arising out of SLP [C] No. 7526/2009] in the matter of Central Board of Secondary Education & Anr. Vs. Aditya Bandopadhyay & Ors.

Regarding reply to the query numbers 3 and 4:- submission is mentioned below:-

“The reply provided earlier is reiterated.”

Therefore, the contents made in the RTI reply stands as it is and are candid and the appeal deserves to be dismissed in-limine.”

- v. 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.
- vi. This Office concurs with the submission of the Respondent.

The appeal is accordingly disposed of.

Sd/-
(Ankur Yadav)
First Appellate Authority

Copy to :

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3. Directorate of IT - For publishing on the website