

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, Sector-62, Institutional Area
Noida - 201 309 (U.P.)

Appeal No. 04/2023

IN THE MATTER OF:

Vinay Reddy

H.No 2-2-15/1 Pitlambase Street, Medak Town,
Medak District, Telangana- 502110

Appellant

Vs.

Central Public Information Officer

The Institute of Company Secretaries of India
C-37, Sector 62, NOIDA- 201309

Respondent

Date of Order: 6th March, 2023

ORDER

1. The Appellant has filed first appeal on 06.02.2023 under Section 19(1) of the Right to Information Act, 2005 in connection with Response Ref. No. RTI 2005/23/00098 dated 06.02.2023 against 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 22.01.2023 has requested to provide various information under the Right to Information Act, 2005.
3. The Appellant has informed in the instant appeals that "Refused access to Information Requested" & requested to provide the information for points 03 to 15 of RTI Application.
4. The reply of the Respondent against the instant appeal is as under: -

"The replies to the points 03 to 15, as sought by the Applicant (Appellant hereinafter) in relation to the RTI Application, are given as under :

| Que ry No. | Information Sought | Reply |
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| 3. | If answer to above is Yes, Suo Moto verification of marks will be carried out for all the applications received under RTI for certified copies or on sample basis | The query is unclear and it appears to be interrogative or imaginary in nature. However, such applications are dealt as per the provisions of the RTI Act, 2005. |
| 4. | If ICSI is carrying out Suo Moto verification of marks for application under RTI, please provide under which Regulation or Act or Council decision, ICSI is carrying out Suo Moto verification of marks for application received under RTI for Certified Copies of answer sheets. | The query is unclear and it appears to be interrogative or imaginary in nature. However, such applications are dealt as per the provisions of the RTI Act, 2005 |
| 5. | Examination wise and Year wise or in the format data available with the ICSI, Number of students applied for certified copies of answer sheets under the RTI Act, 2005 for the period May 2018 to November 2022 | <p>The Dte. of Examination receives RTI applications from its students and also from the other persons. All types of RTI applications including the applications seeking certified copies of Answer books and the applications seeking other information, are received in the Dte. of Examination through online (ICSI RTI portal) as well as through offline (physical) mode.</p> <p>All online and offline RTI applications received are disposed off / replied through online and offline mode, respectively.</p> <p>Under both the systems, the online (ICSI RTI portal) and offline (physical) mode, the number of students who have sought certified copies of their Answer books and the numbers of students who have been supplied the certified copies of their Answer books under the RTI Act, 2005 is not maintained. Hence, this information as sought by the Appellant is not maintained and cannot be provided.</p> |

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| 6. | Examination wise and Year wise or in the format data available with the ICSI, Number of students whose marks are changed upwards or increase of marks on Suo Moto verification of marks when applied for certified copies of answer sheets under the RTI Act, 2005 for the period May 2018 to November 2022. | Please refer to the response of Query no.5 above. |
| 7. | Examination wise and Year wise or in the format data available with the ICSI, Number of students whose marks are changed downwards or decrease of marks on Suo Moto verification of marks when applied for certified copies of answer sheets under the RTI Act, 2005 for the period May 2018 to November 2022 | Please refer to the response of Query no.5 above. |
| 8. | Examination wise and Year wise or in the format data available with the ICSI, Number of students registered for certified copies of answer sheets through On-line Services of the Institute portal for the period May 2018 to November 2022 | <p>The ICSI for its registered students is having online and offline procedure for verification of marks and providing the certified copies of the Answer books .The Guidelines of the ICSI for “Verification of Marks” and ” Providing Certified Copy (ies) of Answer Book(s)”</p> <p>are in public domain and available at the https://www.icsi.edu/media/webmodules/VOM.pdf and https://www.icsi.edu/media/webmodules/Inspection_Certified_Copy.pdf ,respectively.</p> <p>Under both these procedure, the number of the students who have applied for verification of marks and the certified copies of the answer book is not maintained. Hence, this information as sought by the Appellant is not maintained by the Institute and cannot be provided.</p> |
| 9. | Please provide the details of internal process carried out by the ICSI, when an application made for certified copies of answer sheets through On-line Services of the Institute portal including details of Suo Moto verification of marks, | The query is unclear and it appears to be interrogative or imaginary in nature. However, such applications are dealt as per the Guidelines of the ICSI for “Verification of Marks” and ” Providing Certified Copy (ies) of Answer Book(s)” which are already |

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| | reverification of marks, rechecking of answer sheets, if any | in public domain and available at Institute's website. |
| 10. | Examination wise and Year wise or in the format data available with the ICSI, Number of students whose marks are changed upwards or increase of marks on Suo Moto verification of marks when an application made for certified copies of answer sheets through On-line Services of the Institute portal for the period May 2018 to November 2022. | Please refer to the response of Query no.8 above. |
| 11. | Examination wise and Year wise or in the format data available with the ICSI, Number of students whose marks are changed downwards or decrease of marks on Suo Moto verification of marks when an application made for certified copies of answer sheets through On-line Services of the Institute portal for the period May 2018 to November 2022. | Please refer to the response of Query no.8 above. |
| 12. | Examination wise and Year wise or in the format data available with the ICSI, Number of students registered for Verification of marks through On-line Services of the Institute portal for the period May 2018 to November 2022. | Please refer to the response of Query no.8 above. |
| 13. | Please provide the details of internal process carried out by the ICSI, when an application made for Verification of marks through On-line Services of the Institute portal including details of Suo Moto verification of marks, reverification of marks, rechecking of answer sheets, if any | The query is unclear and it appears to be interrogative or imaginary in nature. However, such applications are dealt as per the Guidelines of the ICSI for "Verification of Marks" and "Providing Certified Copy (ies) of Answer Book(s)" which are already in public domain and available Institute's website. |
| 14. | Examination wise and Year wise or in the format data available with the ICSI, Number of students whose marks are changed upwards or increase of marks on Suo Moto verification of marks when an application made for Verification of marks through On-line Services of the Institute portal for the period May 2018 to November 2022 | Please refer to the response of Query no.8 above. |

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| 15. | Examination wise and Year wise or in the format data available with the ICSI, Number of students whose marks are changed downwards or decrease of marks on Suo Moto verification of marks when an application made for Verification of marks through On-line Services of the Institute portal for the period May 2018 to November 2022. | Please refer to the response of Query no.8 above. |
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The contents as above made in the RTI reply stands as it is and are candid.

Therefore, the appeal deserves to be dismissed in-limine”.

5. 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.
6. This Office concurs with the submission of the Respondent.

The appeal is accordingly disposed of.

Sd/-
(Ankur Yadav)
First Appellate Authority
Copy to :

1. Mr. Vinay Reddy
H.No 2-2-15/1Pitlambase Street, Medak Town,
Medak Distrcit, Telangana- 502110
2. Shri Santosh Kumar Sharma
Central Public Information Officer
The Institute of Company Secretaries of India
C-37, Sector 62, NOIDA- 201309
3. Directorate of IT - For publishing on the website