

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. 150/2023

IN THE MATTER OF:

Manjula Pandey
9/892 Nirala Nagar Rewa
Pin: 486001 (MP)

Appellant

Vs.

Central Public Information Officer (EXAM)
The Institute of Company Secretaries of India
C-37, Sector 62, NOIDA- 201309

Respondent

Date of Order: 27th April, 2023

ORDER

- (1) The Appellant has filed first Appeal- No. ICSOI/A/E/23/00150 on 29.03.2023 under Section 19(1) of the Right to Information Act, 2005 in connection with Response Ref. No. ICSOI/R/E/23/05758 dated 01.04.2023 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 02.03.2023 has requested to provide the list of question papers for CS Executive Programme examination held during Jan 2010 to Dec 2022.
- (3) The Appellant has informed in the instant appeals that "Refused access to Information Requested".
- (4) The reply of the Respondent against the instant appeal is as under: -

"It is submitted that we have provided the information sought which is available in public domain and accessible to the citizens free of cost and the web-links of the same have been supplied to the Applicant (Appellant hereinafter) in response to her RTI Application ICSOI/R/E/23/05758 dated 02.03.2023 vide email dated 29.03.2023.

Further, it is held by the CIC in the matter of K.Lall vs. M.K.Bagri (File No. CIC/AT/A/2007/00112) that "Once a certain information is placed in the public domain accessible to the citizens either freely, or on payment of a predetermined price, that information cannot be said to be 'held' or 'under the control of' the public authority and, thus would cease to be an information accessible under the RTI Act, 2005.

The contents as above made in the RTI reply stands as it is and are candid”.

- (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. It has been noticed that response have been provided to the Appellant vide email dated 29.03.2023. Since the information is already available in public domain & available at Institute website, Appellant is requested to go through the link(s) provided & seek the information as desired.

The appeal is accordingly disposed of.

Sd/-

(Ankur Yadav)
First Appellate Authority

Copy to :

1. Mr. Manjula Pandey
9/892 Nirala Nagar Rewa
Pin: 486001 (MP)
2. Central Public Information Officer (EXAM)
The Institute of Company Secretaries of India
C-37, Sector 62, NOIDA- 201309
3. Directorate of IT - For publishing on the website

