

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.308/2023

IN THE MATTER OF:

Jayesh Jain
703/D, Vardhaman Estate
Chiwda Gully Lalbaugh
Mumbai City-400012
Maharashtra

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 June 2023

ORDER

- (1) The Appellant has filed the first Appeal- No. ICSOI/A/E/23/00308 on 29.05.2023 under Section 19(1) of the Right to Information Act, 2005 in connection with Response Ref. No. ICSOI/R/E/23/00311 dated 07.03.2023 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 25.02.2023 has requested to provide the answer copies of all three modules of the CS Professional program of the December 2022 attempt.
- (3) The Appellant has informed in the instant appeal that "No Response Within the Time Limit."
- (4) The reply of the Respondent against the instant appeal is as under: -

"1. It is submitted that the information sought has been provided at jayeshjain13115@gmail.com, the registered email of the candidate concerned, vide email dated 06.03.2023 in which a web-link, Username and Password have been provided to the Appellant to access the information sought.

2. It is further submitted that in the instant Appeal the Appellant is making a request for providing the information once again mentioning the email-id other than that of the email-id registered with the ICSI and no evidence was placed before the CPIO by the Appellant that the new email-id belongs to the same person i.e. the candidate whose personal information is sought in the aforesaid Appeal and in the RTI Application. We are to also submit that the personal information of the students/candidates is provided at the registered email-id only.

3. It is also submitted that the email-id as mentioned in the instant appeal and the email id registered with the ICSI belong to different persons, makes it evident that the Appellant is seeking personal information of other person and the Central Public Information officer is of the opinion that the disclosure of which has no relationship to any public activity or interest and would cause unwarranted invasion of the privacy of the individual and exempt from disclosure under Section 8 (1) (j) of the Right to Information 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. The information sought has already been provided at the registered email vide email dated 06.03.2023 in which a web-link, Username and Password have been provided to the Appellant to access the information sought. Further, it has been found that the e-mail ID provided in the instant appeal is different from the registered email ID, hence, information cannot be provided at the non-registered email ID.

The Appeal is accordingly disposed of.

Sd/-

(Ankur Yadav)
First Appellate Authority

Copy to:

1. Mr. Jayesh Jain
703/D, Vardhaman Estate
Chiwda Gully Lalbaugh
Mumbai City-400012
Maharashtra
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