

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.343/2023

IN THE MATTER OF:

Shri Ram Nivas
B-75 Sector 4C
Shatabdi Nagar
Partapur
Meerut - 250103

Appellant

Vs.

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

Respondent

Date of Order: 13th October, 2023

ORDER

- (1) The Appellant has filed first Appeal- No. ICSOI/A/E/23/00343 on 16.09.2023 under Section 19(1) of the Right to Information Act, 2005 in connection with Response Ref No.: ICSOI/R/E/23/13233 dated 09.09.2023 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 25.08.2023 has requested to provide the Certified copies of answer sheets for CS Professional Examination held in June 2023 for the Subjects: Governance, Risk Management, Compliances and Ethics ; Advanced Tax Laws ; Drafting, Pleadings and Appearances ; Secretarial Audit, Compliance Management and Due Diligence; Corporate Restructuring, Insolvency, Liquidation and Winding up and Resolution of Corporate Disputes, Non Compliances and Remedies.
- (3) The Appellant has informed in the instant appeal that "Provided Incomplete, Misleading or False Information".
- (4) The reply of the Respondent against the instant appeal is as under: -

"It is submitted that the requisite information as sought by the Applicant (Appellant hereinafter) in his RTI Application ICSOI/R/E/23/13233 dated 25.08.2023, is in public domain and freely available without any cost at link <https://cc.icsi.edu>.

Further, the Appellant was informed about the said link and the procedure to fetch the information in response to his above mentioned RTI Application vide letter dated 09.09.2023. An announcement in this regard has also been published on the website of the Institute.

It is to inform that Appellant has already accessed the required information through the above mentioned portal.

Furthermore, in the instant Appeal the Appellant has sought clarification regarding restriction to use the information, as mentioned in the above announcement. It is to apprise that this is not an information under section 2(f) of 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.

The requisite information as sought by the Appellant was freely available in public domain without any cost at link <https://cc.icsi.edu> as intimated by CPIO EXAM to the appellant vide communication dated 09.09.2023.

Further, CPIO EXAM has substantiated that Appellant has already accessed the required information through the above-mentioned portal.

However, if the Appellant has not been able to see the copies online due to non-availability, the Appellant may approach the respondent within 05 days of issue of this order. It is further directed that if approached again, the respondent may share the documents within 07 days of being approached.

The appeal is accordingly disposed of.

Sd/-

(Sonia Baijal)
First Appellate Authority

Copy to:

1. Shri Ram Nivas
B-75 Sector 4C
Shatabdi Nagar
Partapur
Meerut - 250103
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