

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.373/2023

IN THE MATTER OF:

Ms. Avani Jayantilal Shethiya
202/C-35, unique garden chs,
Gokul village, shanti park,
Mira road
East Mumbai- 401107

Appellant

Vs.

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

Respondent

Date of Order: 23rd October, 2023

ORDER

- (1) The Appellant has filed first Appeal- No. ICSOI/A/E/23/00373 on 25.09.2023 under Section 19(1) of the Right to Information Act, 2005 in connection with Response Ref No. ICSOI/R/E/23/14592 dated 15.09.2023 against the Central Public Information Officer (CPIO) (hereinafter referred to as Respondent) of the Institute of Company Secretaries of India.
- (2) The Appellant vide her application dated 26.08.2023 has requested to provide the certified copies of answer sheets for CS Professional Examination held in June 2023 for the subjects: MODULE 1 GOVERNANCE, RISK MANAGEMENT, COMPLIANCES AND ETHICS (GRMCE) 431 ; ADVANCED TAX LAWS (ATL) 432; DRAFTING, PLEADINGS AND APPEARANCES (DPA) 433 ;MODULE 2 SECRETARIAL AUDIT, COMPLIANCE MANAGEMENT AND DUE DILIGENCE (SACMDD) 434 ; CORPORATE RESTRUCTURING,INSOLVENCY, LIQUIDATION AND WINDING-UP (CRILW) 435 ; RESOLUTION OF CORPORATE DISPUTES, NON-COMPLIANCES AND REMEDIES (RCDNR) 436; MODULE 3 CORPORATE FUNDING AND LISTINGS IN STOCK EXCHANGES (CFLSE) 437;MULTIDISCIPLINARY CASE STUDIES (MCS) 438 ; INSOLVENCY -LAW AND PRACTICE (INLP) 448.

(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: -

“It is submitted that the requisite information as sought by the Applicant (Appellant hereinafter) in her RTI Application ICSOI/R/E/23/14592 dated 26.08.2023, was made available in public domain and was 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 sought information vide letter dated 15.09.2023(copy of letter enclosed). An announcement in this regard had also been published on the website of the Institute (copy of announcement attached).

Furthermore, it is to inform that Appellant has already accessed the required information through the above mentioned portal (screenshot attached).

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 15.09.2023.

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, the Appellant may approach Respondent within 05 days of issue of this Order. In such case, Respondent is directed to provide the requisite support to the Appellant within 07 days of being approached.

The appeal is accordingly disposed of.

Sd/-

(Sonia Baijal)

First Appellate Authority

Copy to:

1. Ms. Avani Jayantilal Shethiya
202/C-35, unique garden chs,
Gokul village, shanti park,Mira road
East Mumbai- 401107
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