

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.407/2023

IN THE MATTER OF:

Ms. Tanishka pathak
Pushpvihar colony near sunrise town
Sagar m.p SAGAR 470001

Appellant

Vs.

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

Respondent

Date of Order: 29th October, 2023

ORDER

- (1) The Appellant has filed first Appeal- No. ICSOI/A/E/23/00407 on 05.10.2023 under Section 19(1) of the Right to Information Act, 2005 in connection with Response Ref No. ICSOI/R/E/23/18736 dated 20.09.2023 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 books for CS Executive Examination held in June 2023 for the subjects: Jurisprudence interpretation and general laws - 421 Company law - 422 Setting up of business entities and closure - 423.
- (3) The Appellant has informed in the instant appeal that “Provided, incorrect, misleading or false information”.
- (4) The reply of the Respondent against the instant appeal is as under: -

“It is submitted that the requisite information sought by the Applicant (Appellant hereinafter) in her RTI Application ICSOI/R/E/23/18736 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 20.09.2023(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 the user id and password to access the Certified Copies of Answer Books have already been provided to the Appellant at her registered email id i.e. pathakmanoj2909@gmail.com and the required information has already been accessed through the above mentioned portal (copy of email and screenshot of portal attached).

It is also to state that since the certified copies have already been provided at the registered email id of the student and subsequently been accessed, the claim made by the Appellant i.e. "The information asked through RTI was for issuing certified copies by ICSI but received only marks statement which is truly unfair and unjustifiable. Kindly take action and see to it, also provide certified true copies as soon as possible" deserves to be dismissed.

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) 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 20.09.2023.

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. Tanishka pathak
Pushpvihar colony near sunrise town
Sagar m.p SAGAR 470001

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