

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.432/2023

IN THE MATTER OF:

Shri Gagan Pal Kumawat
1/55, Housing Board Jawahar Nagar,
Bharatpur-321001

Appellant

Vs.

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

Respondent

Date of Order: 8th November, 2023

ORDER

(1) The Appellant has filed first Appeal- No. ICSOI/A/E/23/00432 on 09 .10.2023 under Section 19(1) of the Right to Information Act, 2005 in connection with Response Ref No. ICSOI/R/E/23/21979 dated 27.09.2023 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 04.09.2023 has requested to provide the following information:

A. Answer sheets of all papers taken by me as follows-1-Jurisprudence, Interpretation & General Laws.2-Company Law.3-Setting up of Business Entities and Closure.4-Tax Law

B-Model answer sheet issued by ICSI to examiner for their assistance to check answer sheets of students.

C-Policy decision of ICSI to reduce the numbers obtained by students to maintain of ICSI result.

D-Please provide the designation and complete address of the appellant authority.

(3) The Appellant vide his 2nd application (ICSOI/R/E/23/25322) dated 09.10.2023 has requested to provide the following information:

A. Answer sheets of all papers taken by me as follows-1-Jurisprudence, Interpretation & General Laws.2-Company Law.3-Setting up of Business Entities and Closure.4-Tax Law

B-Model answer sheet issued by ICSI to examiner for their assistance to check answer sheets of students.

C-Policy decision of ICSI to reduce the numbers obtained by students to maintain of ICSI result.

D-Please provide the designation and complete address of the appellant authority

(3) The Appellant has informed in the instant appeal that “Details not provided”.

(4) The reply of the Respondent against the instant appeal is as under: -

“It is submitted that the Applicant (Appellant hereinafter) in his RTI Application ICSOI/R/E/23/21979 dated 04.09.2023, sought information on four points against which the reply was given to the Appellant vide letter dated 27.09.2023.(letter Attached)

However, inadvertently the reply of queries asked in points namely (B), (C) and (D) could not be provided.

Incidentally, The Appellant filed another RTI Application ICSOI/R/E/25322 dated 09.10.2023 seeking information on four points, out of which three points had already been asked in the previous RTI Application. Further, the Appellant was provided with the requisite information sought in the Application including the information regarding points (B) (C) and (D), which was missed unintentionally at the first time.

Furthermore, this is to inform that all the information sought by Appellant vide his RTI Applications viz. ICSOI/R/E/23/21979 and ICSOI/R/E/23/25322 has been provided vide letters dated 27.09.2013 and 09.11.2023, and the CPIO may be excused for this inadvertent omission.

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 in his RTI Application ICSOI/R/E/23/21979 has been provided by CPIO EXAM vide letter dated 27.09.2023 and the points B, C, D which were missed inadvertently by CPIO EXAM have been replied vide letter dated 2.11.2023 in response to his RTI application ICSOI/R/E/23/25322.

The appeal is accordingly disposed of.

Sd/-

(Sonia Baijal)
First Appellate Authority

Copy to:

1. Shri Gagan Pal Kumawat
1/55, Housing Board Jawahar Nagar,
Bharatpur-321001
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