

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.441/2023

IN THE MATTER OF:

Shri ABHISHEK MOUD
257, SANJAY GANDHI NAGR
SECTOR-8, HIRAN MAGRI
UDAIPUR-313002

Appellant

Vs.

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

Respondent

Date of Order: 10th November, 2023

ORDER

- (1) The Appellant has filed first Appeal- No. ICSOI/A/E/23/00441 on 14.10.2023 under Section 19(1) of the Right to Information Act, 2005 in connection with Response Ref No. ICSOI/R/E/23/16527 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 his application dated 27.08.2023 has requested to provide the certified copies of answer books of CS Executive Examination held in June 2023 for the subjects: PAPER 3: SETTING UP OF BUSINESS ENTITIES AND CLOSURE (SUBJECT CODE:423) PAPER-4: TAX LAWS (SUBJECT CODE:424) PAPER 5: CORPORATE AND MANAGEMENT ACCOUNTING (SUBJECT CODE:425) PAPER-6:SECURITIES LAWS AND CAPITAL MARKETS (SUBJECT CODE:426) PAPER-7: ECONOMIC, BUSINESS AND COMMERCIAL LAWS (SUBJECT CODE:427) PAPER-8: FINANCIAL AND STRATEGIC MANAGEMENT (SUBJECT CODE: 428).
- (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/23/16527 dated 27.08.2023, 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 information in response to his above mentioned RTI Application vide letter dated 20.09.2023 and it has been observed that Appellant has accessed the sought information through the above mentioned portal (screen shot attached).

However, one Answer Book of subject “Economic, Business and Commercial Laws” is yet to be provided to the Appellant. The delay has been caused due to technical lapse and the said Answer Book shall be provided at the earliest.

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 20.09.2023.

Further, CPIO EXAM has substantiated that Appellant has already accessed the required information through the above-mentioned portal except one paper which could not be provided due to technical problems. CPIO EXAM has also mentioned that the paper shall be provided once technical issue is resolved.

CPIO EXAM is advised to ensure timely availability of Answer Book to the student.

The appeal is accordingly disposed of.

Sd/-

(Sonia Baijal)
First Appellate Authority

Copy to:

1. Shri ABHISHEK MOUD
257, SANJAY GANDHI NAGR
SECTOR-8, HIRAN MAGRI
UDAIPUR-313002
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