

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.446/2023

IN THE MATTER OF:

Ms. Priyakumari Govind jha
A/208, Shiv Shakti apartment Mahesh park,
Tulinj road, Nallasopara east,
Palghar-401209

Appellant

Vs.

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

Respondent

Date of Order: 11th November, 2023

ORDER

- (1) The Appellant has filed first Appeal- No. ICSOI/A/E/23/00446 on 20.10.2023 under Section 19(1) of the Right to Information Act, 2005 in connection with Response Ref No. ICSOI/R/E/23/14646 dated 18.09.2023 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 photo copies of answer books for CS Professional Examination held in June 2023 for the subjects: 431 : GOVERNANCE, RISK MANAGEMENT, COMPLIANCE AND ETHICS (GRMCE) 434 : SECRETARIAL AUDIT, COMPLIANCE MANAGEMENT AND DUE DILIGENCE (SACMDD) 437: CORPORATE FUNDING AND LISTING IN STOCK EXCHANGE (CFLSE) 432: ADVANCE TAX LAWS (ATL) 435: CORPORATE RESTRUCTURING, INSOLVENCY, LIQUIDATION AND WINDING UP (CRILW) 438: MULTIDISCIPLINARY CASE STUDIES (MCS) (open book exam) 433: DRAFTING, PLEADING AND APPEARANCE (DPA) 436: RESOLUTION OF CORPORATE DISPUTES, NON COMPLIANCE AND REMEDIES (RCDNR) 448: INSOLVENCY- LAW AND PRACTICE (INLP).
- (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 Applicant (Appellant hereinafter) was informed about the process to fetch the sought information vide letter dated 18.09.2023(copy of letter enclosed) in response to her RTI Application ICSOI/R/E/23/14646 dated 26.08.2023.

Further, this is to inform that the scanned copy of Answer Book of subject “Secretarial Audit, Compliance Management and Due Diligence” as sought by the Appellant has not been provided due to a technical lapse and it shall be provided once the issue is resolved.

This is also to submit that CPIO will take immediate measures and ensure that the said scanned copy be provided to the Appellant 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.
- (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 18.09.2023.

Further, CPIO EXAM has substantiated that scanned copy of one Answer Book (Secretarial Audit, Compliance Management and Due Diligence) could not be provided due to technical lapse.

CPIO EXAMS 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. Ms. Priyakumari Govind jha
A/208, Shiv Shakti apartment Mahesh park,
Tulinj road, Nallasopara east,
Palghar-401209
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