

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.00104/2024

IN THE MATTER OF:

Mr. Lakshya Kumar Agarwal
B-19, Mahesh Marg,
Modinagar, Pin:201204
Uttar Pradesh

Appellant

Vs.

Central Public Information Officer
The Institute of Company Secretaries of India
'ICSI House', 22, Institutional Area, Lodi Road,
New Delhi - 110003

Respondent

Date of Order: 14th November 2024

ORDER

- (1) The Appellant has filed first Appeal- No. ICSOI/A/E/24/00104 on 19.10.2024 under Section 19(1) of the Right to Information Act, 2005 in connection with Response vide letter dated 17.10.2024 against the Central Public Information Officer (hereinafter referred to as Respondent) of the Institute of Company Secretaries of India.
- (2) The Appellant vide his RTI Application No. ICSOI/R/E/24/12540 dated 26/09/2024 has requested for the following information:

“With reference to ICSI career opportunities advertisement dated 31st January 2024 for the post of IT security Manager. Please share the following information:

1. Share the Merit list including wait list.
2. Share the marks scored by Candidate Lakshya Kumar in interview held on 30th July 2024 and what is the minimum qualifying marks set by management for qualifying the interview.
3. Does ICSI has provision to declare wait list for the said position.
4. Does ICSI has provision to offer the position to wait listed candidate, if the selected candidate did not join organisation within stipulated time.
5. One of the eligibility criteria defined in the advertisement was, the candidate should have certificates CEH/ECSA/OSCP & CCNA/CCNP/MCSE/RHEL (i.e. both certifications are mandatory).
 - 5.1 Does ICSI concerned authority confirmed that, all the candidates who appeared for the interview had submitted both the required mandatory certifications during documentation verification.

5.2 Does ICSI concerned authority confirmed that the required mandatory certifications submitted by all the candidates who appeared for the interview were valid as on cut-off date of advertisement.”

(3) The Appellant has submitted in the instant appeal with regards to the reply provided by the Respondent to the RTI queries as under:

“With reference to RTI:ICSOI/R/E/24/12540, CPIO has not provided the complete information as well as appears a mislead information because as per HR Directorate of ICSI, Recruitment process for the said post is completed. Refer the attached email communication as a proof. Further, NONE of the information asked in RTI application is clarification in nature. The information asked in RTI should be available with ICSI in any of the forms of records/documents/papers/opinions/emails/reports/data material held in any electronic form. Hence, Section 2(f) of RTI Act 2005 is applicable and CPIO should provide the correct information. Request you to acknowledge the first appeal and arrange to provide the required information asked in RTI:ICSOI/R/E/24/12540.”

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

“Since the RTI application pertains to Directorate of HR of the ICSI, therefore, the CPIO has asked for written submission from concerned Directorate for the same. Their submission is mentioned below:

“We reiterate our earlier reply.”

Since the queries asked by Mr. Lakshya Kumar Agarwal, the then candidate and RTI Appellant herein was in the context of recruitment process, the reply was sent accordingly.

Further, it is necessary to mention that through the email, it was implied that the interview of candidates under the recruitment process has been completed, however, the joining process is yet to be completed.

Therefore, the contents made in the RTI Reply stands as it is and the appeal deserves to be dismissed.”

(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.

This office concurs with the submissions of the Respondent in his reply to the instant appeal.

The appeal is accordingly disposed of.

Sd/-

(Asit Kumar Rath)
First Appellate Authority

Copy to:

1. Mr. Lakshya Kumar Agarwal
B-19, Mahesh Marg,
Modinagar, Pin:201204
Uttar Pradesh
2. Central Public Information Officer
The Institute of Company Secretaries of India
'ICSI House', 22, Institutional Area, Lodi Road,
New Delhi - 110003
3. Directorate of IT - For publishing on the website.