

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, Institutional Area, Sector-62,
Noida - 201 309 (U.P.)

Appeal No. 57/2021

IN THE MATTER OF:

Sharad Kumar Jhunjhunwala
A-11 Ashok Vihar
Ranchi- 834002
Jharkhand

Appellant

Vs.

Central Public Information Officer
The Institute of Company Secretaries of India
ICSI House
22, Institutional Area, Lodi Road
New Delhi - 110 003

Respondent

Date of Order: 9th August, 2021

ORDER

1. The Appellant has filed first appeal on 28.07.2021 under Section 19(1) of the Right to Information Act, 2005 in connection with query Ref. No. RTI 2005/5073(21) dated 27.07.2021 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 12.05.2021 has requested to provide information through RTI.
3. The Appellant has informed in the instant appeals that "Refused access to information Requested".
4. The reply of the Respondent against the instant appeal is as under:-

"It is to inform that study material of crash course(s) including print and audio video material are intellectual property of the Institute and the Institute has a set mechanism to provide the said information under which this can only be given to the registered candidates as the same is meant only for those who has opted the said course(s), remitted the fee for the same for the purpose to study the said course(s) only.

Further, the said information has no relationship with any public activity or interest for general purpose, therefore, the disclosure of the same to general public would damage/harm the competitive position.

In view of the above, this information cannot be provided as per the Section 8(1(d) under the Right to Information Act, 2005.”

In view of the foregoing, the appeal deserves to be dismissed in-limine.”

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. This Office concurs with the submissions of the Respondent and the usage of Section 8 1(d) of the RTI Act.

The appeal is accordingly disposed of.

Sd/-
(Ankur Yadav)
First Appellate Authority

Copy to :

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A-11 Ashok Vihar
Ranchi- 834002
Jharkhand

2. Mrs. Sarah Arokiaswamy
Central Public Information Officer
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3. Directorate of IT - For publishing on the website