

OFFICE OF THE FIRST APPELLATE AUTHORITY

(Under the Right to Information Act, 2005)
The Institute of Company Secretaries of India
ICSI House, 22 Institutional Area, Lodi Road
New Delhi

Appeal No. 11/2017

IN THE MATTER OF :

Ms. Shruti Gambhir
Esteem Complex
C-208 A/6
Savitri Nagar
New Delhi - 110017

Appellant

Vs.

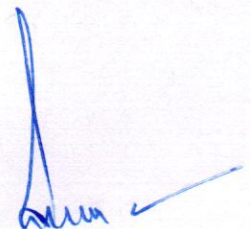
Central Public Information Officer
The Institute of Company Secretaries of India
'ICSI House'
22, Institutional Area, Lodi road
New Delhi - 110 003

Respondent

Date of Order : 15th May, 2017

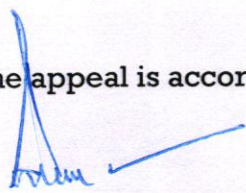
ORDER

1. The appellant has filed first appeal dated Nil (received in this office on 8th May, 2017) under section 19 (1) of the Right to Information Act, 2005 against the response issued vide letter dated 10th April, 2017 by the Central Public Information Officer (CPIO) (hereinafter referred to Respondent) of the Institute of Company Secretaries of India.
2. In this appeal, the appellant has appealed for providing the answer book of Secretarial Audit, Compliance Management and Due Diligence for December, 2016 Session under the provisions of RTI Act and as per the judgement of Supreme Court.
3. The respondent vide letter dated 10th April, 2017 had informed the appellant that the information as sought by him can be provided under mechanism for inspection and/ or supply of certified copy(ies) of Answer Books only to the candidate concerned. It was further informed that the procedure is available on Institute's website www.icsi.edu



4. The respondent has further submitted that an Order dated 9th May, 2014 has been passed by the Hon'ble Supreme Court of India in SLP(C) No. 12692/14 in the matter of The Institute of Company Secretaries of India Vs. Paras Jain. The respondent has further submitted that the Hon'ble Supreme Court of India has stayed the operation and implementation of the impugned judgement passed in the LPA 275/2015 of the Hon'ble High Court of Delhi.
5. This Office has carefully considered the application, the response, the appeal, the records made available and the judgement of Hon'ble Supreme Court of India and finds that the matter can be decided based on the material available on record.
6. In view of the Order of Hon'ble Supreme Court of India vide which operation and implementation of the impugned judgement of Hon'ble High Court of Delhi to provide for copy of answer books under the RTI Act has been stayed, this Office concurs with the submissions of CPIO that the information sought can not be provided at this stage under the provisions of RTI Act.

The appeal is accordingly dismissed.


(Ankur Yadav)
First Appellate Authority

Copy to :

- ✓ 1. Ms. Shruti Gambhir
Esteem Complex
C-208 A/6
Savitri Nagar
New Delhi - 110017
2. Mr. Ashok Kumar Dixit
Central Public Information Officer
The Institute of Company Secretaries of India
ICSI House, 22 Institutional Area
Lodi Road
New Delhi - 110 003
3. Directorate of IT For publishing on the website