

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. 100/2022

IN THE MATTER OF:

Hancy Oswal
Mahaveer Park Society
Kondhwa Budruk
Pune-411048
Maharashtra

Appellant

Vs.

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

Respondent

Date of Order: 15th December, 2022

ORDER

- i. The Appellant has filed first appeal on 02.12.2022 under Section 19(1) of the Right to Information Act, 2005 in connection with Response Ref. No: Registration Number: ICSOI/R/E/22/12515 dated 11.11.2022 against the Central Public Information Officer (CPIO) (hereinafter referred to as Respondent) of the Institute of Company Secretaries of India.
- ii. The Appellant vide her application dated 04.11.2022 has requested to provide the copies of papers of CS Professional June 2022 module-1 which are having subjects: (1) Tax (2) Governance (3) Drafting.
- iii. The Appellant has informed in the instant appeals that "I have requested for answer copies of ICSI June 2022 examination module 1 of subjects Governance Tax Drafting on 4th November and yet not received rather the status of request shows disposed off".
- iv. The reply of the Respondent against the instant appeal is as under: -

"It is submitted that the information sought by the Applicant (Appellant hereinafter) was her Answer Books in respect of her appearance in CS Examination, June 2022 session. The Appellant filed the RTI Application after the time period for retaining the Answer Books got over as per the Record Retention Schedule of Directorate of Examinations, ICSI (already available in public domain at Institute's website www.icsi.edu) and hence, the same could not be provided. Further, the Appellant also did not provide her credentials in the aforementioned Application.

Subsequently, The Appellant filed an Appeal on 02.12.2022 seeking the same information followed by an email dated 06.12.2022 in which she provided her credentials and mentioned the fact that she had also applied for verification of marks on 07.09.2022.

This is to inform that as per the Record Retention Schedule of Directorate of Examinations, the Answer books for which verification of marks have been applied are to be retained for a period of 3 months from the date of completion of the process of verification of marks, and hence it was found that the Answer Books of the Appellant were still not disposed off.

Resultantly, in light of the above developments, the requisite information was provided to the Appellant vide email dated 07.12.2022 in which a web-link, Username and Password have been provided to the RTI Appellant to access the same(copy enclosed) and receipt of requisite information has also been acknowledged by the Appellant vide email dated 13.12.2022.”

The contents as above made in the RTI reply stands as it is and are candid.

Therefore, the appeal deserves to be dismissed in-limine.”

- v. 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.
- vi. The Office concurs with the submission of the Respondent. It is observed that Appellant has acknowledged the receipt of information sought vide email dated 13.12.2022.

The appeal is accordingly disposed of.

Sd/-

(Ankur Yadav)
First Appellate Authority

Copy to :

1. Ms. Hancy Oswal
Mahaveer Park Society
Kondhwa Budruk
Pune-411048
Maharashtra
2. Shri Santosh Kumar Sharma
Central Public Information Officer
The Institute of Company Secretaries of India
C-37, Sector 62, NOIDA- 201309
3. Directorate of IT - For publishing on the website