

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. 92/2022

IN THE MATTER OF:

Hemkalyani Sahu
C/O Lachchhi Ram Sahu
School Chouk Biroda Ward 15
Biroda Raipur Kolar
Raipur- 493661
Chattisgarh

Appellant

Vs.

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

Respondent

Date of Order: 17th November, 2022

ORDER

1. The Appellant has filed first appeal on 02.11.2022 under Section 19(1) of the Right to Information Act, 2005 in connection with Response Ref. No. ICSOI/R/E/22/12433 dated 02.11.2022 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 21.10.2022 has requested to provide answer sheet of CS Executive Programme of June 2022 Examination for the subjects : Jurisprudence Interpretation and General Laws, Company Law, Setting Up Of Business Entities and Closure, Tax Laws.
3. The Appellant has informed in the instant appeals that “Refused access to Information Requested” & requested to provide the certified copies of CS Executive Examination.
4. The reply of the Respondent against the instant appeal is as under: -

“It is submitted that the information sought was the Answer Books of the Applicant (Appellant hereinabove) in respect of her appearance in CS Examination, June 2022 session, and that the Answer Books of the CS Examination, June 2022 have been disposed of in accordance with 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 cannot be provided.

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”.

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 submission of the Respondent. Since Answer books of CS Examinations of June 2022 have been disposed of under Record Retention Schedule of Directorate of Examinations of ICSI, hence the same cannot be provided.

The appeal is accordingly disposed of.

Sd/-

(Ankur Yadav)
First Appellate Authority

Copy to :

1. Ms. Hemkalyani Sahu
C/O Lachchhi Ram Sahu
School Chouk BirodaWard 15
Biroda Raipur Kolar
Raipur- 493661
Chattisgarh
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

RECORD RETENTION SCHEDULE

DTE. OF EXAMINATION

Sl No.	Description of Record Main Head/Sub-Head	Category of Record*	Retention Period begins after any specific stage
1	Answer Books of Company Secretaries Examinations on which applications for verification of marks under Regulation 42 (2) of the Company Secretaries Regulations, 1982, have not been received by the Institute within twenty one (21) days from the date of declaration of result of respective examination.	H1	After the declaration of results of each examination concerned.
2	Answer Books of examinations verified on candidates' requests under Regulation 42(2) of the Company Secretaries Regulations, 1982.	H2	From the date of completion of the process of verification of marks.
3	Answer Books of examinations provided for inspection or certified copy(ies) supplied to the candidates' on their request as per Institutes' Guidelines, Rules and Procedures.	H2	From the date of completion of the process of providing inspection and / or supply of certified copy (ies) to the candidates concerned.
4	Answer books of examinees on which some action/dispute is pending or such answer books which are required for any enquiry by any authority or court.	H2	From the date of completion of the action or enquiry or dispute, as the case may be.
5	Examination Session wise Results Registers.	A	To be maintained in bound Registers in physical form for 5 years; and in digitized form for 20 years from the date of declaration of results.
6	Statements of Payments made to Moderators, Paper Setter-cum-Examiners, Additional Examiners, Translators, etc. approved by the competent Authority.	D	From the date of payment.
7	Attendance Sheets of the candidates registered for/appeared in the examinations.	H3	From the date of examination.
8	Subject wise individual Examiners Marks-Sheets.	H3	From the date of examination.
9	Examination session-wise address list of Moderators, Paper Setters, Additional Examiners, Hindi Translators, etc.	H3	From the date of examination.
10	Correspondence with Moderators, Paper Setter-cum-Examiners, Additional Examiners, Hindi Translators, etc.	H3	From the date of concerned examination.

H1 **Forty Five days**
H2 **Three Months**
A **Forever, along with Microfilms thereof**
D **Eight Years**
H3 **One Year**