

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. 57/2022

IN THE MATTER OF:

Pradeep Kumar Mishra
B 10/1 Niti Vihar Kirari Suleman Nagar,
Delhi- 110086

Appellant

Vs.

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

Respondent

Date of Order: 19th September, 2022

ORDER

1. The Appellant has filed first appeal on 25.08.2022 under Section 19(1) of the Right to Information Act, 2005 in connection with Response Ref. No. Registration Number: ICSOI/R/E/22/05795 dated 06.09.2022 against the Central Public Information Officer (CPIO) (hereinafter referred to as Respondent) of the Institute of Company Secretaries of India.
2. The Appellant vide his application dated 10.03.2021 has requested to provide Photocopy of Answer book of the Board Examinations under the RTI Act, 2005 for CS Executive Examination December Year : 2020 & vide application dated 25.08.2022 has requested to provide certified copies of CS Executive Module 1- Year 2022.
3. The Appellant has informed in the instant appeals that "Details not provided".
4. The reply of the Respondent against the instant appeal is as under: -

"It is submitted that the RTI Applicant (Appellant hereinafter) has filed the appeal on 25.08.2022 for his RTI Application No. ICSOI/R/E/21/01309 dated 10.03.2021 beyond the time limit as specified under Section 19(1) of the Right to Information Act, 2005.

2. It is further submitted that the requisite information as sought under above mentioned RTI Application ICSOI/R/E/21/01309 was supplied to the Appellant vide email dated 01.04.2021. Further, the Answer Books of CS Examination December 2020 have been disposed of as per Record Retention Schedule of the Institute and cannot be provided once again now.

3. It is also submitted that the Appellant has not mentioned any grievance against information supplied to him in response to his RTI Application no. ICSOI/R/E/21/01309 vide email dated 01.04.2021. Instead, the Appellant has mentioned the particulars regarding another RTI Application No. ICSOI/R/E/22/05795 filed by him on 25.08.2022 in which he has requested to provide the Answer Books of June 2022 examination which is infructuous in itself as RTI Application and First Appeal are made on the same day, if appeal is for RTI Application No. ICSOI/R/E/22/05795 dated 25.08.2022.

4. Furthermore, the new RTI application ICSOI/R/E/22/05795 dated 25.08.2022 has also been disposed of by providing him the requisite information/documents vide Email dated 02.09.2022.

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.”

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. As per Record Retention Schedule of the Institute, Answer Books of CS Examination December 2020 have been disposed of hence cannot be provided again. Further, response of RTI application ICSOI/R/E/22/05795 dated 25.08.2022 has also been provided by the Respondent through email on 02.09.2022 wherein it is mentioned that “The information sought by you will remain hosted at the above link till 23- Sep- 2022”.

The appeal is accordingly disposed of.

Sd/-

(Ankur Yadav)
First Appellate Authority

Copy to :

1. Mr. Pradeep Kumar Mishra
B 10/1 Niti Vihar Kirari Suleman Nagar,
Delhi- 110086
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