

**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. 107/2022**

IN THE MATTER OF:

Keyur Ashokkumar Naik  
Balaji Gems, A2/102  
Silvassa - 396230  
Union Territory

Appellant

Vs.

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

Respondent

Date of Order: 10<sup>th</sup> January, 2023

**ORDER**

1. The Appellant has filed first appeal on 20.12.2022 under Section 19(1) of the Right to Information Act, 2005 in connection with Response Ref. No. ICSOI/R/E/22/03027 dated 01.04.2022 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 05.03.2022 has requested to provide answer books of December 2021 session of CS Executive Examination.
3. The Appellant has informed in the instant appeals that "No Response Within the Time Limit".
4. The reply of the Respondent against the instant appeal is as under: -
  1. "It is submitted that the Applicant (Appellant hereinafter) has filed the Appeal on 20.12.2022 in response to the information supplied to him on 01.04.2022 for his RTI Application No. ICSOI/R/E/22/03027 dated 05.03.2022 beyond the time limit as specified under Section 19(1) of the Right to Information Act, 2005.
  2. Further, the requisite information sought by the Appellant in his RTI Application ICSOI/R/E/22/03027 dated 05.03.2022 had been provided to the Appellant at his email id registered with the Institute of Company Secretaries of India i.e. keyurnaik555@gmail.com vide email dated 01.04.2022 in which a web-link, Username and Password were provided to the RTI Appellant to download and view the requisite Answer Books.

3. Furthermore, this is to inform that that the Answer Books of the Appellant in respect of his appearance in CS Examination, December 2021 session, have been disposed of in accordance with Record Retention schedule of The Directorate of Examinations, ICSI as in force 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. It has been noticed that Respondent had provided the response to the Appellant at his email ID registered with the Institute of Company Secretaries of India vide email dated 01.04.2022 in which a web-link, Username and Password were provided to the RTI Appellant to download and view the requisite Answer Books. Since Answer books of CS Examination Session December 2021 have been disposed of in accordance with the Record Retention Schedule of Directorate of Examination of ICSI, hence the same cannot be provided (copy attached).

The appeal is accordingly disposed of.

Sd/-

(Ankur Yadav)  
First Appellate Authority

Copy to :

1. Mr. Keyur Ashokkumar Naik  
Balaji Gems, A2/102  
Silvassa - 396230  
Union Territory
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.

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