

**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. 05/2023**

IN THE MATTER OF:

RAKHI

House No 41 Vidhyapati Nagar Tower Line Road  
Vaishali Nagar  
Nagpur  
Maharashtra - 440016

Appellant

Vs.

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

Respondent

Date of Order: 20<sup>th</sup> March, 2023

**ORDER**

- (1) The Appellant has filed first appeal on 20.02.2023 under Section 19(1) of the Right to Information Act, 2005 in connection with Response Ref. No. ICSOI/R/E/23/00128 dated 09.02.2023 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 03.02.2023 has requested to provide the answer books of Executive Programme Examination of June 2021 session.
- (3) The Appellant has informed in the instant appeals that "Refused access to Information Requested".
- (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 2021 session, and that the Answer Books of the CS Examination, June 2021 have been disposed of in accordance with the Record Retention Schedule of Directorate of Examinations, ICSI and hence, the same cannot be provided.

It is also submitted that in the matter of CBSE Vs. Aditya Bandopadhyay (Civil Appeal No. 6454 of 2011), the Hon'ble Supreme Court held that "the RTI Act provides access to all information that is available and existing".

It is further submitted that the Record Retention schedule of the Institute is in public domain and available at Institute's website [www.icsi.edu](http://www.icsi.edu) .

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

- (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 Examination Session June 2021 have been disposed of in accordance with the Record Retention Schedule of Directorate of Examination of ICSI, hence the same cannot be provided.

The appeal is accordingly disposed of.

Sd/-

(Ankur Yadav)  
First Appellate Authority

Copy to :

1. Ms. RAKHI  
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3. Directorate of IT - For publishing on the website