

**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.305/2023**

IN THE MATTER OF:

Ojas Bharat Kapre  
Flat No. 2, Tushar B Complex  
Meher Nagar, Garkheda Parisar  
Aurangabad-431009 (MH)

Appellant

Vs.

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

Respondent

Date of Order: 23<sup>rd</sup> June, 2023

**ORDER**

- (1) The Appellant has filed first Appeal- No. ICSOI/A/E/23/00305 on 27.05.2023 under Section 19(1) of the Right to Information Act, 2005 in connection with Response Ref. No. ICSOI/R/E/23/12067 dated 01.05.2023 against the Central Public Information Officer (CPIO) (hereinafter referred to as Respondent) of the Institute of Company Secretaries of India.
- (2) The Appellant vide his application dated 27.04.2023 has requested to provide Certified Copies of the Answer book of CS Executive Programme Examinations for the session: December 2022 for the papers: 1. JURISPRUDENCE, INTERPRETATION & GENERAL LAWS (JIGL) - 421 2. COMPANY LAW (CL) - 422 3. SETTING UP OF BUSINESS ENTITIES AND CLOSURE (SBEC) - 423 4. TAX LAWS (TL) – 424 under the RTI Act 2005.
- (3) The Appellant has informed in the instant appeal that “Refused access to Information Requested”.
- (4) The reply of the Respondent against the instant appeal is as under: -

“It is submitted that we have provided the requisite information as sought by the Applicant (Appellant hereinafter) in his RTI Application ICSOI/R/E/23/12067 dated 27.04.2023, at the email id of the Appellant registered with the Institute of Company Secretaries of India vide email dated 01.05.2023 in which a web-link, Username and Password have been provided to the Appellant to access the information sought.

Further, it is submitted that the information sought was the Answer Books of the Appellant in respect of his appearance in CS Examination, December 2022 session, and that the Answer Books of the CS Examination, December 2022 have been disposed of in accordance with the Record Retention Schedule of Directorate of Examinations, ICSI and hence, the same cannot be provided.

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 the Answer Books of the CS Examination, December 2022 have been disposed of in accordance with the Record Retention Schedule of the Directorate of Examinations, ICSI and hence, the same cannot be provided.

The Appeal is accordingly disposed of.

Sd/-

(Ankur Yadav)  
First Appellate Authority

Copy to:

1. Mr. Ojas Bharat Kapre  
Flat No. 2, Tushar B Complex  
Mehar Nagar, Garkheda Parisar  
Aurangabad-431009 (MH)
2. Central Public Information Officer (EXAM)  
The Institute of Company Secretaries of India  
C-37, Sector 62, NOIDA- 201309
3. Directorate of IT - For publishing on the website