

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.306/2023

IN THE MATTER OF:

Palak
3/255Dakshin Puri
Dr. Ambedkar Nagar
New Delhi- 10062

Appellant

Vs.

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

Respondent

Date of Order: 27th June 2023

ORDER

- (1) The Appellant has filed the first Appeal- No. ICSOI/A/E/23/00306 on 29.05.2023 under Section 19(1) of the Right to Information Act, 2005 in connection with Response Ref. No. ICSOI/R/E/23/10369 dated 17.04.2023 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 21.03.2023 has requested to provide photocopy of Answer book of CS Executive Programme Examinations under the RTI Act 2005 for the session: December 2022 for the papers: 01: 1/421: Jurisprudence Interpretation and General Laws (JIGL) 02: 2/422: Company Law (CL) 03: 3/423: Setting Up of Business Entities and Closure (SBEC).
- (3) The Appellant has informed in the instant appeal that “No Response Within the Time Limit & also requested to provide the desired information.”
- (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 her RTI Application ICSOI/R/E/23/10369 dated 21.03.2023, at the email id of the Appellant registered with the Institute of Company Secretaries of India vide email dated 17.04.2023 in which a web-link, Username and Password have been provided to the Appellant to access the information sought. Further, this is to inform that the information sought was the Answer Books of the Appellant in respect of her 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.

Furthermore, it is submitted that the Appellant has filed the Appeal on 29.05.2023 in response to the information supplied to him on 17.04.2022 for his RTI Application No. ICSOI/R/E/23/10369 dated 21.03.2023 beyond the time limit as specified under Section 19(1) of the Right to Information Act, 2005.

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, hence, the same cannot be provided.

The Appeal is accordingly disposed of.

Sd/-

(Ankur Yadav)
First Appellate Authority

Copy to:

1. Ms. Palak
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New Delhi- 10062
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