

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.315/2023

IN THE MATTER OF:

Nikita Tanwar
Near Bus Stand Nimaj Road
Opposite Arun Stationary Jaitaran
Rajasthan- 306302

Appellant

Vs.

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

Respondent

Date of Order: 18th July, 2023

ORDER

- (1) The Appellant has filed the first Appeal- No. ICSOI/A/E/23/00315 on 01.07.2023 under Section 19(1) of the Right to Information Act, 2005 in connection with Response Ref. No. ICSOI/R/E/23/09287 dated 07.04.2023 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 18.03.2023 has requested to provide certified copies for the subjects: 1) Jurisprudence, interpretation and General Laws 2) Company Law 3) Setting up of Business Entities and Closure 4) Tax Laws.
- (3) The Appellant has informed in the instant appeal that "No Response Within the Time limit".
- (4) The reply of the Respondent against the instant appeal is as under: -

"It is submitted that the Applicant (Appellant hereinafter) has filed the Appeal on 01.07.2023 in response to the information supplied to her on 07.04.2023 for her RTI Application No. ICSOI/R/E/23/09287 dated 18.03.2023 beyond the time limit as specified under Section 19(1) of the Right to Information Act, 2005.

Further, It is submitted that we have provided the requisite information as sought by the Appellant in her abovementioned RTI Application, at the email id of the Appellant registered with the Institute of Company Secretaries of India vide email dated 07.04.2023 in which a web-link, Username and Password have been provided to the Appellant to access the information sought.

Furthermore, 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.

Record Retention schedule of the Institute is in public domain and available at Institute's website 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. It has been found that Respondent, vide email dated 07.04.2023, had provided web-link, user name & password to Applicant to access the information sought. Further, as per Record Retention Schedule of the Directorate of Examinations (ICSI), the Answer Books of the CS Examination December 2022 have been disposed of, hence, the same cannot be provided.

The Appeal is accordingly disposed of.

Sd/-
(Ankur Yadav)
First Appellate Authority

Copy to:

1. Ms. Nikita Tanwar
Near Bus Stand Nimaj Road
Opposite Arun Stationary Jaitaran
Rajasthan- 306302
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