

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.321/2023

IN THE MATTER OF:

Syed Ayaan Hashmi
Gali No 9 VV Vihar Aman Nagar Mowa
Raipur- 492007
Chattisgarh

Appellant

Vs.

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

Respondent

Date of Order: 19th September, 2023

ORDER

- (1) The Appellant has filed first Appeal- No. ICSOI/A/E/23/00321 on 26.08.2023 under Section 19(1) of the Right to Information Act, 2005 in connection with Response Ref. No. ICSOI/R/E/23/08964 dated 05.04.2023 against the Central Public Information Officer (CPIO) (hereinafter referred to as Respondent) of the Institute of Company Secretaries of India.
- (2) The Appellant vide his application dated 16.03.2023 has requested to provide certified copies for the papers: Securities Laws and Capital Markets (426) Economic, Business and Commercial Laws (427) Corporate and Management Accounting (425) Financial and Strategic Management (428).
- (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 we have provided the requisite information as sought by the Applicant (Appellant hereinafter) in his RTI Application ICSOI/R/E/23/08964 dated 16.03.2023, at the email id of the Appellant registered with the Institute of Company Secretaries of India vide email dated 31.03.2023 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 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.

Furthermore, it is submitted that the Appellant has filed the Appeal on 26.08.2023 in response to the information supplied to him on 05.04.2023 for his RTI Application No. ICSOI/R/E/23/08964 dated 16.03.2023 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. It has been noticed that CPIO EXAM has provided the web-link, Username and Password to Appellant vide email dated 16.03.2023 to access the information sought. Further, since, the Answer Books of December 2022 session of CS Examination have been disposed of in accordance with the Record Retention Schedule of the Directorate of Examinations, ICSI. Hence, the same cannot be provided again.

The appeal is accordingly disposed of.

Sd/-

(Ankur Yadav)
First Appellate Authority

Copy to:

1. Mr. Syeed Ayaan Hashmi
Gali No 9 VV Vihar Aman Nagar Mowa
Raipur- 492007
Chattisgarh
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