

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.351/2023

IN THE MATTER OF:

Ms. Janvi Devidas Kargutkar
102/A wing ,Sai Ganesh Apartment
Vijaynagar, Near Amrai police station
Kalyan East 421306

Appellant

Vs.

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

Respondent

Date of Order: 17th October, 2023

ORDER

- (1) The Appellant has filed first Appeal- No. ICSOI/A/E/23/00351 on 18.09.2023 under Section 19(1) of the Right to Information Act, 2005 in connection with Response Ref No.: ICSOI/R/E/22/01561 dated 16.3.2022 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 28.02.2022 has requested to provide the photo copies of answer books for CS Executive Examination held in December 2021 for the Subjects: 421: Jurisprudence Interpretation & general laws (JIGL) 426: securities laws and capital market (SLCM) 422: Company law (CL) 427: Economic Business and Commercial Laws (EBCL) 423: Setting up of business entities and closure (SBEC) 425: Corporate and management accounting (CMA) 424:Tax laws (TL) 428:Financial and strategic management (FSM).
- (3) The Appellant has informed in the instant appeal that “No response within 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 18.09.2023 in response to the information supplied to her on 16.03.2022 for her RTI Application No. ICSOI/R/E/22/01561 dated 28.02.2022 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 15.03.2022 in which a web-link, Username and Password was provided to the Appellant to access the information sought (copy enclosed).

Furthermore, the Answer Books of the CS Examination, December 2021 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.

This Office concurs with the submission of the Respondent. Since Answer books of CS Examination Session December 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/-

(Sonia Baijal)

First Appellate Authority

Copy to:

1. Ms. Janvi Devidas Kargutkar
102/A-wing, Sai Ganesh Apartment
Vijaynagar, Near Amrai police station
Kalyan East 421306
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