

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.388/2023

IN THE MATTER OF:

Ms. POONAM GAJIRAM BERAD
FLAT 10, Dutta krupa Apartment
BHAGUR
NASHIK MH -422502

Appellant

Vs.

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

Respondent

Date of Order: 28th October, 2023

ORDER

- (1) The Appellant has filed first Appeal- No. ICSOI/A/E/23/00388 on 30.09.2023 under Section 19(1) of the Right to Information Act, 2005 in connection with Response Ref No. ICSOI/R/E/23/12934 dated 12.09.2023 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 25.08.2023 has requested to provide the soft copies of answer sheets for CS Professional Examination held in June 2023 for the subjects: 431 Governance, Risk Management, Compliances And Ethics (GRMCE) Module I 432 Advanced Tax Laws (ATL) Module I 433 Drafting, Pleading And Appearances(DPA) Module III 437 Corporate Funding And Listings In Stock Exchanges (CFLSE) Module III 438 Multidisciplinary Case Studies (MCS) Module III 448 Insolvency - Law And Practice (INLP) .
- (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 the requisite information as sought by the Applicant (Appellant hereinafter) in her RTI Application ICSOI/R/E/23/12934 dated 25.08.2023, was made available in public domain and was freely available without any cost at link <https://cc.icsi.edu>.

Further, the Appellant was informed about the said link and the procedure to fetch the information in response to her above mentioned RTI Application vide letter dated 12.09.2023(copy of letter enclosed). An announcement in this regard has also been published on the website of the Institute (copy of announcement attached).

Furthermore, in the instant Appeal the Appellant has stated that she had not received the certified copies of her Answer Books. However, this is to inform that the certified copies were to be provided to the Appellant through the portal only after registration at link <https://cc.icsi.edu> which had not done by the Appellant.

It is also to submit that the Answer Books of the CS Examination, June 2023 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) The requisite information as sought by the Appellant was freely available in public domain without any cost at Link <https://cc.icsi.edu> as intimated by CPIO EXAM to the appellant vide communication dated 12.09.2023.

This Office concurs with the submission of the Respondent that since Answer books of CS Examination Session June 2023 have been disposed off 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. POONAM GAJIRAM BERAD
FLAT 10, Dutta krupa Apartment
BHAGUR
NASHIK MH -422502

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