

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.442/2023

IN THE MATTER OF:

Ms. Gunjan
Vill-Jakhwala tehsil- Deoband district- Saharanpur
Deoband- 247554

Appellant

Vs.

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

Respondent

Date of Order: 10th November, 2023

ORDER

- (1) The Appellant has filed first Appeal- No. ICSOI/A/E/23/00442 on 14 .10.2023 under Section 19(1) of the Right to Information Act, 2005 in connection with Response Ref No. ICSOI/R/E/23/19960 dated 24.09.2023 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 29.08.2023 has requested to provide the certified copies of CS Professional Examination held in June 2023 for the subjects: 1. SECRETARIAL AUDIT,AND DUE DILIGENCE (SACNDD) Paper code-434 2. CORPORATE RESTRUCTURING (CRILW) Paper Code-435 3.RESOLUTION OF CORPORATE DISPUTES (RCDNR) Paper Code-4364.CORPORATE FUNDING (CFLSE) Paper Code-4375.MULTIDISCIPLINARY CASE STUDIES (MCS) Paper Code-438 6.INSOLVENCY LAW AND PRACTICE (INCP) Paper Code-448.
- (3) The Appellant has informed in the instant appeal that “Provided incomplete, misleading or false information”.
- (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/23/19960 dated 29.08.2023, 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 24.09.2023(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 sought her certified copies of Answer Books once again.

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.

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 24.09.2023.

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 now.

The appeal is accordingly disposed of.

Sd/-

(Sonia Baijal)
First Appellate Authority

Copy to:

1. Ms. Gunjan
Vill-Jakhwala tehsil- Deoband district- Saharanpur
Deoband- 247554
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