

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.452/2023

IN THE MATTER OF:

Ms. Mahima Mehul Vyas
1/A 1804, Dreams Complex L.B.S Marg,
Bhandup West Mumbai 400078

Appellant

Vs.

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

Respondent

Date of Order: 8th December, 2023

ORDER

- (1) The Appellant has filed first Appeal- No. ICSOI/A/E/23/00452 on 12.11.2023 under Section 19(1) of the Right to Information Act, 2005 in connection with Response Ref No. ICSOI/R/E/23/13989 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 scanned copies of CS Executive Examination held in June 2023 for the subjects: 01. Jurisprudence Interpretation and General Law (code 421) 02. Company Law (code 422) 03. Setting Up Of Business Entities (code 423) 04. Tax Laws (code 424).
- (3) The Appellant has informed in the instant appeal that “Provided incomplete, false or misleading 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/23/13989 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 and it has been observed that Appellant has accessed the sought information through the above mentioned portal (screenshot attached).

However, the supply of Answer Book of “Jurisprudence, Interpretation and General Laws” was delayed due to technical lapse. The Answer Book was made available to Appellant after the resolution of the technical issue and the last date of viewing Answer Books has been extended till 30.11.2023.

Furthermore, it is also to submit that the Answer Books of the CS Examination, June 2023 now 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.

Further, CPIO EXAM has substantiated that Appellant has already accessed the required information through the above-mentioned portal including the answer book of “Jurisprudence, Interpretation and General Laws”.

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. Mahima Mehul Vyas
1/A 1804, Dreams Complex L.B.S Marg,
Bhandup West Mumbai 400078
- 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