

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.454/2023

IN THE MATTER OF:

Shri Milan Arora
B-9 444 Rampura mohalla Near SDM COURT
Pathankot 145001

Appellant

Vs.

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

Respondent

Date of Order: 14th December, 2023

ORDER

- (1) The Appellant has filed first Appeal- No. ICSOI/A/E/23/00454 on 21.11.2023 under Section 19(1) of the Right to Information Act, 2005 in connection with Response Ref No. ICSOI/R/E/23/25501 dated 15.11.2023 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 18.10.2023 has requested to provide the certified Copies of papers of CS Professional Examination held in June 2023 .
- (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 his RTI Application ICSOI/R/E/23/25501 dated 18.10.2023, was made available in public domain and was freely available without any cost at link <https://cc.icsi.edu>.

However the Appellant applied for copy of his Answer books at the above mentioned portal on 18.10.2023 i.e. after the expiry of Record Retention Period (copy of Record Retention Schedule attached). In adherence to the Record Retention Schedule, all answer books of the student except that of “Resolution of Corporate Disputes, Non-Compliances and Remedies “ subject were disposed off after the expiry of Retention period i.e. 45 days from the declaration of result.

Further, the Answer Book of “Resolution of Corporate Disputes, Non-Compliances and Remedies “ has been preserved for a further period of three month in accordance with the Record Retention schedule as the student had applied for verification of marks in the said subject and thus the Answer Book of only this paper could have been provided. The access of the same has also been acknowledged by the Appellant in the above mentioned Appeal.

Furthermore, it is also to submit that the rest of the Answer Books of the Appellant 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.

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 18.10.2023.

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. Shri Milan Arora
B-9 444 Rampura mohalla Near SDM COURT
Pathankot 145001
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