

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.00063/2024

IN THE MATTER OF:

Shri Harsh Jain
Near Mahalaxmi Garden, Charbhujia Colony,
Pali, Rajasthan, Pin - 306401

Appellant

Vs.

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

Respondent

Date of Order: 11th June, 2024

ORDER

- (1) The Appellant has filed first Appeal- No. ICSOI/A/E/24/00063 on 14.05.2024 under Section 19(1) of the Right to Information Act, 2005 in connection with the Response vide letter dated 09.03.2024 against the Central Public Information Officer (EXAM) (hereinafter referred to as Respondent) of the Institute of Company Secretaries of India.
- (2) The Appellant vide his RTI Application No. ICSOI/R/E/24/02898 dated 27.02.2024 has requested for Certified Copies of the Papers - *JIGL 421, COMPANY LAW 422, SBEC 423, TAX LAW 424* of Exam Appeared in Dec. 2023 session.
- (3) The Appellant requested in the instant appeal to give his User Id and Password for open of Copies.
- (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/24/02898 dated 27.02.2024, was provided to the him vide letter dated 09.03.2024 in which he was informed about weblink and the procedure to fetch the sought information (copy of letter enclosed). An announcement in this regard was also published on the website of the Institute (copy of announcement attached).

However, it is also to inform that the Appellant did not apply at the said portal and thus the Scanned Answer Books could not be provided to him.

Further, this is also to inform that the Answer Books of the CS Examination, Dec. 2023 have now been disposed of in accordance with the Record Retention Schedule of

Directorate of Examinations, ICSI and hence, the same cannot be provided.

It is also to submit that the Appellant has filed the Appeal on 14.05.2024 in response to the information supplied to him on 09.03.2024 against his RTI Application No. ICSOI/R/E/24/02898 dated 27.02.2024 beyond the time limit as specified under Section 19(1) of the Right to Information Act, 2005

The contents as above made in the RTI reply stands as it is and are candid.

Therefore, the appeal deserves to be dismissed in-limine.”

- (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.

As per record, Response to the RTI application of the Appellant was issued by the Respondent on 09.03.2024 in which it was clearly said that the information sought is the evaluated copy of Answer Book(s), which is available in public domain at the link <https://cc.icsi.edu> and he may access the information sought by submitting his credentials as instructed at the above-said link. The Appellant was also informed that necessary announcement to this effect is also available on the website of the Institute at the link https://www.icsi.edu/media/webmodules/Supply_of_Books_23022024.pdf.

As per Respondent, the Appellant did not apply at the said portal and thus, the Scanned Answer Books could not be provided to him. The process is such that, after applying for evaluated Answer Book(s) at the said portal, a system generated email containing the link, User Id and Password to open the requested Scanned Answer Book(s) is received by the user in his registered email id from the email id cpioexam@icsi.edu.

This office concurs that the Answer Books of the CS Examination, Dec. 2023 have now been disposed of in accordance with the Record Retention Schedule of Directorate of Examinations, ICSI and hence, the same cannot be provided.

The appeal is accordingly disposed of.

Sd/-
(Asit Kumar Rath)
First Appellate Authority

Copy to:

1. Shri Harsh Jain
Near Mahalaxmi Garden, Charbhujia Colony,
Pali, Rajasthan, Pin:306401
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