



Central Information Commission

2nd Floor, August Kranti Bhawan,
Bhikaji Cama Place, New Delhi – 110 066
Website: www.cic.gov.in

Decision No.4167/IC(A)/2009

F. No.CIC/MA/A/2009/000474

Dated, the 13th July, 2009

Name of the Appellant: Ms. Vikita Vishanji Soni

Name of the Public Authority: The Institute of Chartered Accountants of India

Facts: ⁱ

1. The appellant was heard on 13/7/2009 through a representative.
2. The appellant has asked for a copy of the evaluated answer sheets in respect of a final examination, in which she appeared.
3. The CPIO and the Appellate Authority have replied but refused to provide the requested information, without indicating the provisions of the RTI Act under which exemption from disclosure of answer sheets has been claimed by the respondent.
4. During the hearing, the appellant cited a few decisions of this Commission, whereby the disclosure of evaluated answer sheets has been allowed. He also presented a news report, which confirmed that a Commission's decision challenged by the respondent before the High Court of Delhi in an identical case of disclosure of answer sheets has been upheld.

Decision:

5. The appellant has asked for a copy of her own evaluated answer sheet. The CPIO and the Appellate Authority have not indicated the provisions under which they have claimed exemption from disclosure of the information. An examinee has the right to access the evaluated answer sheets so as to make self assessment of her performance. In view of this, there is no justification for denial of the requested information. The CPIO is, therefore, directed to furnish the requested information within 15 working days from the date of issue of this decision, failing which penalty u/s 20(1) of the Act would be imposed.

ⁱ ***"If you don't ask, you don't get."* - Mahatma Gandhi**

6. The appeal is thus disposed of.

Sd/-
(Prof. M.M. Ansari)
Central Information Commissionerⁱⁱ

Authenticated true copy:

(M.C. Sharma)
Assistant Registrar

Name & address of Parties:

1. Ms. Vikita Vishanji Soni, C/o Mr. Anant M. Nandu Room No.24, 2nd floor, 20/22, Khemraj Bldg. No.5, Khambatta Lane, Mumbai – 400 001.
2. Shri. V. Sagar, CPIO, The Institute of Chartered Accountants of India, ICAI Bhawan, P.B. No.7100, Indraprastha Marg, New Delhi – 110 002.
3. Shri. N.P. Singh, Appellate Authority, The Institute of Chartered Accountants of India, ICAI Bhawan, P.B. No.7100, Indraprastha Marg, New Delhi – 110 002.

ⁱⁱ “*All men by nature desire to know.*” - Aristotle