

## About the Author:



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Mr. B Vinay Reddy native from Hyderabad, is a B.com graduate from the IGNOU and a student of The Institute of Chartered Accountants of India (ICAI). He is a regular contributor on Taxation at various leading websites and a paper presenter at the CA Students Conferences hosted by BOS of ICAI. He believes that sharing provides you to learn and develop your knowledge and understanding about people and the subject.

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## **Now CA students and members get Answer Sheet copies at Rs. 2 per page under RTI : Supreme Court Orders!**

Hello FCA's! (Future Chartered Accountants)

RTI Act is the most revolutionary act for setting out the practical regime of Right to Information, the 3 Key building pillars behind the act are Responsibility, Transparency and Accountability, which empowered Indian Citizens to secure access to information directly from the Government/Public Authorities.

In this article, I have penned down various Hon'ble Supreme Court judgements, provisions of the RTI Act, 2005, provisions of the examination body for providing certified copies of answer books and also covers exclusively on the RTI process flow, application format, payment of fees etc., for CA students and members to obtain certified copies from the Institute of Chartered Accountants of India (ICAI) at a nominal cost of Rs. 2/- per page.

### **ICAI procedure to obtain Certified Copies**

As you are aware of the process to obtain certified copies as per the ICAI procedure, where a student has to apply online for seeking Inspection/Certified copies of answer books within 30 days from the date of declaration of the result of the relevant examination along with the a **Fee of Rs. 500/- per paper** and certified copies of your answer books will be provided within 30 days from the date of receipt of your application.

You can refer to the below link to the announcement made by ICAI dated 24<sup>th</sup> January 2019 to know more about the revised Procedure for providing inspection/certified copies of evaluated answer-books to the concerned examinees as per ICAI procedure.

<https://1drv.ms/b/s!AovtGjzMI1VQRhWquJSKF1GESDnCp>

The above ICAI procedure is an expensive one and a student has got to pay Rs. 500/- per paper for Inspection/ Certified copies.

For example, if a CA Final student desires to apply for certified copies of all the 8 subjects, he has to incur **Rs. 4,000/-** (Rs.500 per subject × 8 subjects) which is more than the Examination fee i.e., **Rs. 3,300/-**

To enable easy access to the information, the Right to Information Act, 2005 provides access to certified copies of answer sheets at a nominal cost of Rs. 2/- per page and inspection at free of cost.

RTI Act is in force since 2005, every year many students are applying for certified copies under the RTI Act, 2005 but, ICAI has been denying the answer-scripts to the candidates and

compels candidates to seek their answer-scripts as per ICAI procedure which provides for cost of Rs. 500/- per subject.

Similar case was happened with ICSI and Mr. Paras Jain, a student of ICSI, fought tirelessly for 7 years and went to the Supreme Court. And on 14<sup>th</sup> of April, 2019 Supreme Court in the judgement **ICSI Vs. Paras Jain**, made clear that, a candidate is free to apply for certified copies under the RTI Act, 2005 or as per the procedure laid down by the Institute and fee as to be charged as per the RTI rules when an application is made under the RTI Act, 2005 but not as per the Institute guidelines.

### **ICAI reply to the application for Certified Copies under the RTI Act after SC Judgement:**

But, after the Supreme Court judgement ICSI Vs. Paras Jain, I have made an RTI application for Certified of Advanced Information Technology Test (AITT) and Practical Training Assessment Test (PT Test), within 30 days ICAI has provided a soft copy of the answer sheet along with the marks secured and Result card at **FREE OF COST**. The same has been provided at the end of this article for your reference.

And also in a reply to the RTI application filed by me on 1<sup>st</sup> of May 2019, ICAI was informed that Inspection or Certified copies of answers books can be sought under the Right to Information Act, 2005 or as per the ICAI procedure and there is no restriction.

### **ICAI guidelines and fee for certified copies as per RTI Act, 2005.**

As per the announcement **No.13-CA(Exams)/WdngPly/2012** dated November 16, 2012 answer books of the examination conducted by ICAI are retained for a period of four months (120) days from the date of declaration of result of the relevant examination and in regulation 39(4), Institute has specifically mentioned that a student can seek verification, inspection and/or certified copy of answer books **under the Right to Information Act, 2005**.

You can refer to the below link for the **announcement No.13-CA(Exams)/2012:**  
[https://1drv.ms/b/s!AovtGjzMI1VQRhW6R-PxgQL0R\\_YjN](https://1drv.ms/b/s!AovtGjzMI1VQRhW6R-PxgQL0R_YjN)

And Rule 4 of the RTI Rules, 2012, prescribes fee for information as follows:

#### **1. Application fee:**

While making RTI applications, the payment of RTI Fees of **Rs. 10/-** needs to be made and the same is waived off for applicants falling below the poverty line by producing the proof of BPL Category.

#### **2. Additional Fee for Inspection/Certified Copies:**

Inspection of Records	- No fee for the first hour;
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	- a fee of ₹.5.00 for each subsequent hour or a fraction thereof.
For each page (in A-4 or A-3 size paper)	- ₹ 2.00 per page of photocopy

### **Procedure to obtain Certified copies or Inspection of answer books under the RTI:**

A candidate can make an online application at his doorsteps without visiting any office, though user registration is not mandatory to file RTI application, I suggest you create an account at RTI online site, so that you can have a list of applications in user account and details like name, email, the address will be auto-filled while making RTI application.

1. Login to your RTI portal by entering Username and Password at below link <https://rtionline.gov.in/>
2. Now, click on submit request option, scroll down and click on the checkbox "I have read and understood the above guidelines." and then click on submit button.

Then Online RTI Request Form screen will be displayed. This form can be used to file an online RTI application.

3. In search Public Authority filed enter key word as **Chartered** and select Institute of Chartered Accountant of India from the drop-down list and click on Ok.
4. Name, address, educational qualifications, communication details will be auto filled and you can change the same, if required.
5. In the field "Is the Applicant Below Poverty Line?"
  - Select the option **Yes**, if you belong to Below Poverty Line BPL category and holds valid proof for the same as Food security Card, ration card etc., No application fee is required to be paid by such citizens as per RTI Rules,2012
  - Enter BPL card number, year of issue, issuing authority in the next field.
  - Select the option **No**, if you are not fall under the BPL category or does not hold valid proof for the same. Such candidates are required to be paid application fee of Rs.10/- online.
6. Now in the filed "Text for RTI Request application", provide details and request for certified copies
  - There is no prescribed form of the application under the Act, 2005 but, I have referred to application formats of various institutes and have prepared a draft for your reference.

- You can download the draft application from below link, in the word document format, enter your details and copy paste the contents in the prescribed field. (**Application format is given at the end of the article for your reference**)

<https://1drv.ms/w/s!AovtGjzM1VQRoQtZyW1SqPD7d8mH>

7. Now, upload your merged pdf copy of **BPL Card** (if applicable) and **Hall Ticket** by clicking supporting document and
  - click on submit button (if BPL category)
  - Make payment button (Others) to make the payment of Rs. 10/- towards application fee by using Internet banking, credit or debit card and click on submit button, after making the payment.
8. On submission of the application, a unique registration number would be issued, which may be referred by the applicant for any references in future. The applicant will get an email and SMS alert on submission of the application.

#### **Reply from ICAI and additional fee payment:**

You can check the status of your application **after 30 days** from the date of online application by clicking **Disposed of link** from the homepage. Your application status will be intimated through SMS and Email also. Alternatively, you can click on view status and enter Registration Number, E-mail id, Security code and click on submit, you will be intimated about the amount of fees to be paid by the way of Demand Draft or Indian Postal Order.

Take a Demand draft or Indian Postal Order for the prescribed amount drawn in favour of The Secretary, The Institute of Chartered Accountants of India, payable at New Delhi and the same has to be sent to the CPIO by the speed post to below address by mentioning your name and RTI application number on the back side of the Demand Draft or Postal order.

Shri Dinesh Kumar Mishra  
ICAI Bhawan, P. B. No. 7100,  
Indraprastha New Delhi - 110 002

Within one week from the date of receipt of your Demand Draft or Postal order at the aforesaid address your certified copies will be sent to the address mentioned in the RTI application through India Post.

#### **Electronic Demand draft – Convenient and easiest way:**

Instead of approaching the bank and standing in a very long awaiting queue you'll be able to apply for online demand draft if you have internet banking.

While applying for DD mention your RTI application number and mention DD delivery address as follows:

Shri Dinesh Kumar Mishra  
ICAI Bhawan, P. B. No. 7100,  
Indraprastha New Delhi - 110 002

DDs will be couriered by the bank to the mailing address and delivered within 3 days as ICAI Head office is in Delhi, a metro city. You will be updated with the courier carrier details and delivery details on time to time.

On receipt of DD, CPIO will provide the information/ certified copies in 3-6 working days through speed post to the address mentioned in the RTI application.

### **Conclusion**

My sincere gratitude is reserved for **Advocate Paras Jain** sir, for his invaluable insights and suggestions. I really appreciate his willingness to help towards the students. And on 21<sup>st</sup> of July, 2019 a contempt notice was also sent by the Paras Jain sir, to the President, the Vice-President and the Secretary of the ICAI, requesting to follow the law laid down by the SC with regard to providing certified copies under the Right to Information Act, 2005.

Recently **Delhi University withdrew its writ petition from the court on July 26**, in view of the Supreme Court judgment in the Paras Jain v. Institute of Company Secretaries of India (ICSI) case and made certified copies available under the RTI by charging Rs. 2/- per page to the students.

There are very remote chances of rejecting the RTI application by ICAI and you must get certified copies of the evaluated answer sheets within 30 days as per the RTI procedure at a nominal cost of Rs. 2/- per page.

My sincere thanks to **Mr. Soham V. Joshi** for his diligent proofreading and support at all the times.

If you've got not received a reply inside 30days or not received certified copies through RTI, please reach me on mail: [cavinayreddy@icai.org](mailto:cavinayreddy@icai.org) or mobile(preferably on WhatsApp) +91 7569989230 I can help you out.

Share your experience, if you have received certified copies of answer sheets under the RTI act from the ICAI.

Thank you!

Vinay Reddy

Jai Hind!

**Right to Information is to make you right thinking Indians**

**Application format for seeking certified copies/inspection of evaluated answer books**

The Additional Secretary (Exams)  
The Institute of Chartered Accountants of India  
ICAI Bhawan  
Indraprastha Marg  
New Delhi 110 002

**Subject:** Photocopy of Answer book of the Board Examinations under the RTI Act, 2005

Dear Sir,

I have appeared for CA Foundation/ IPCC/ Intermediate/ Final Examination conducted by the board with following particulars: -

1. Name of the candidate:
2. Date of Birth:
3. Fathers Name:
4. Contact no:
5. E-mail address:
6. Address for correspondence:
  
7. Student Registration No:
  
8. Examination: CPT/ Intermediate (IPC)/ Final/ ISAAT/ IRM/ ITL & WTO/ MAC/ CMC/ TMC

Month :

Year :

Roll No :

Paper No. - Subject

01 -

02 -

03 -

04 -

05 -

06 -

07 -

08 -

The self-attested photocopy of my admit card/ hall ticket is enclosed for verification of my identity. I also undertake that I am the same candidate who appeared in the aforesaid examination. I hereby declare and affirm that the details mentioned above relate to me only and are true to the best of my knowledge and belief. The information may kindly be provided at the given address.

Please let me know, applicable additional fees, if any as per rule 4 of the Right to Information (Regulation of Fee and Cost) Rules, 2005., has to be paid to provide above sought information.

Yours faithfully

(Name)

(Student Registration Number)

Copy of the AITT answer sheet (Online Exam) received under the RTI Act, 2005 from ICAI

ANNEXURE - A

REGISTRATION NO.- SRO0540836 ROLL NO.- 190478940 EXAM DATE: 27 April 2019 TOTAL MARKS: 52 GRADE: B

Ques	Reps
1	D
2	D
3	C
4	A
5	D
6	D
7	A
8	B
9	C
10	B
11	B
12	D
13	A
14	B
15	D
16	C
17	A
18	A
19	B
20	D
21	B
22	C
23	D
24	C
25	B
26	D
27	B
28	C
29	A
30	C
31	A
32	C
33	A
34	A
35	A

Ques	Reps
36	A
37	B
38	A
39	B
40	A
41	A
42	B
43	B
44	A
45	D
46	D
47	A
48	B
49	A
50	B
51	B
52	C
53	A
54	A
55	A
56	D
57	C
58	A
59	B
60	A
61	A
62	D
63	D
64	C
65	D
66	D
67	A
68	A
69	A
70	B

Ques	Reps
71	A
72	A
73	D
74	C
75	A
76	A
77	D
78	A
79	C
80	C
81	D
82	D
83	A
84	D
85	B
86	A
87	A
88	D
89	C
90	B
91	B
92	C
93	B
94	D
95	C
96	B
97	A
98	C
99	C
100	A

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New Delhi - 110002

M. H. S. D.  
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