

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.00022/2024

IN THE MATTER OF:

Mr. Harsh
H No. 759, Sector 4, Gurgaon – 122 001

Appellant

Vs.

Central Public Information Officer
The Institute of Company Secretaries of India
ICSI House 22, Institutional Area, Lodi Road
New Delhi - 110 003

Respondent

Date of Order: 11th April 2024

ORDER

- (1) The Appellant has filed first Appeal- No. ICSOI/A/E/24/00022 on 11.03.2024 under Section 19(1) of the Right to Information Act, 2005 in connection with Response Ref No. ICSOI/R/E/24/00225 dated 11.03.2024 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 13.02.2024 has requested to provide the following information:
- 1) Please provide me the case no. / Complaint no. / Dairy number for the SRN09022024114453 and SRN09022024021413 registered by ICSI. When was the result declared for the said exam?
 - 2) Please provide me the copies of show cause / notices / correspondence / emails issued by the office of the ICSI to Dhiraj Kapoor and Neerja Sharma. What was the cut off marks for the said exam? If results are declared?
 - 3) Please provide me the copies of replies and emails sent by Dhiraj Kapoor and Neerja Sharma to the office of ICSI.
 - 4) Please provide me the copy of the authority letter and board resolution / vakalat (if any) giving the authority to the person to attend and represent Dhiraj Kapoor and Neerja Sharma and submit the documents before the office of ICSI.
 - 5) If no action is taken by the office of ICSI against Dhiraj Kapoor and Neerja Sharma then provide me the name of the authority, designation who has directed that no action be taken against Dhiraj Kapoor and Neerja Sharma in the above SRN09022024114453 and SRN09022024021413
- (3) The Appellant has informed in the instant appeal that “Provided incomplete, misleading or false information “.
- (4) The reply of the Respondent against the instant appeal is as under: -

“Written submission to query numbers 2: -

“The Complaints bearing Nos. DC/1031/2024 and DC/1032/2024 filed by the Applicant / Appellant herein against Shri Dhiraj Kapoor, FCS-5454 and Ms. Neerja Sharma, ACS-9630 are under investigation and the same are being dealt in accordance with the Company Secretaries (Procedure of Investigations of Professional and Other Misconduct and Conduct of Cases) Rules, 2007 read with the Company Secretaries Act, 1980. The information in regard to the same therefore is exempted under Section 8(1) (h) of the RTI Act, 2005 as disclosure of information would impede the process of investigation.”

Written submission to query numbers 3: -

“Written statement dated 26.3.2024 has been received from Shri Dhiraj Kapoor, FCS-5454 and the copy of the same is under dispatch to the Complainant / Applicant herein for submission of his rejoinder. Written statement dated 26.3.2024 has been received from Ms. Neerja Sharma, ACS-9630 and the copy of the same is under dispatch to the Complainant / Applicant herein for submission of his rejoinder.”

Therefore, the appeal deserves to be dismissed”.

- (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.

This Office concurs with the submission of the Respondent.

The appeal is accordingly disposed of.

Sd/-

(Sonia Baijal)
First Appellate Authority

Copy to:

1. Mr. Harsh
H No. 759, Sector 4, Gurgaon – 122 001

2. Mr. Saidutta Mishra
Central Public Information Officer
The Institute of Company Secretaries of India
ICSI House, 22, Institutional Area Lodi Road
New Delhi - 110 003

3. Directorate of IT - For publishing on the website