

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.00052/2024

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: 3rd May 2024

ORDER

- (1) The Appellant has filed first Appeal- No. ICSOI/A/E/24/00052 on 8.04.2024 under Section 19(1) of the Right to Information Act, 2005 in connection with Response Ref No. ICSOI/R/E/24/06923 dated 08.04.2024 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 11.03.2024 has requested to provide the following information:
 1. Please provide copy of the notices / letter sent to Sh. Dhiraj Kapoor, FCS-5454 & Ms. Neerja Sharma, ACS-9630
 2. Whether any response received from Sh. Dhiraj Kapoor, FCS-5454 & Ms. Neerja Sharma, ACS-9630, if yes please provide copy
 3. If no response received, what further action will be taken against Sh. Dhiraj Kapoor, FCS-5454 & Ms. Neerja Sharma, ACS-9630.
- (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: -

“The written submission of the Respondent is as under:-

Since the RTI application pertains to Directorate of Discipline of the ICSI, therefore, the CPIO has asked for written submission from concerned Directorate for the same. Their submission is mentioned below:

The Complainant, Mr. Harsh Vig (Appellant herein) has filed two separate complaints of professional or other misconduct against Shri Dhiraj Kapoor, FCS-5454 (DC/1031/2024) and Ms. Neerja Sharma, ACS-9630 (DC/1032/2024). Both these complaints are under investigation pursuant to the Company Secretaries Act, 1980 (the Act) read with the Company Secretaries (Procedure of investigations of professional and other misconduct and conduct of cases) Rules, 2007 (the Rules). Pursuant to Act and Rules, the copies of written statements received from Shri Dhiraj Kapoor, FCS-5454 and Ms. Neerja Sharma, ACS-9630 in the respective complaints have been sent to the Complainant.

Since the Appellant has been provided the copies of the written statement received from Shri Dhiraj Kapoor and Ms. Neerja Sharma, the appeal has been infructuous and has deserved 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.

CPIO has informed that requisite information sought by the Appellant has been provided to him.

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