

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, Institutional Area, Sector-62,
Noida - 201 309 (U.P.)

APPEAL NO. 49/2022

IN THE MATTER OF:

Govind Sharma
74 Devdhara Colony,
Murlipura Scheme,
Jaipur
Rajasthan

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: 16th June, 2022

ORDER

1. The Appellant has filed first appeal on 20.05.2022 under Section 19(1) of the Right to Information Act, 2005 in connection with response Ref. No. RTI 2005/5304/(22) dated 20.05.2022 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 RTI application dated 24.04.2022 has requested to provide information of CS Arpita Sharma wife of Govind Sharma.
3. The Appellant has requested in the instant appeal that "I am husband of CS Arpita Sharma. I want to details of my wife CS Arpita Sharma job detail which can not be provided by ICAI. Husband and wife as per hindu law become one entity
So my wife job details as per attached shall be provided
Husband is not a third party of a wife
So provide information as per details attached."
4. The reply of the Respondent against the instant appeal is as under: -

"Since the information as sought by applicant (appellant herein) is relating to the third party, hence, in accordance to Section 11(1) of the Right to Information Act, 2005, a letter was written to the third party (i.e. Ms. Arpita Sharma) inviting her to make submission(s), as to whether the information as sought by the applicant (appellant herein) should be disclosed or not.

However, the said third party has submitted her reply in which she mentioned not to disclose the information as sought by the applicant (appellant herein). Therefore, as per the provisions of the RTI Act, 2005, the information pertaining to third party was declined and exempted under section 8(1)(j) of the RTI Act, 2005.

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

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
6. This Office concurs with the submission of the Respondent. The disclosure of information to the Appellant has been declined by CS Arpita Sharma, hence, the information sought cannot be provided.

The appeal is accordingly disposed of.

Sd/-
(Ankur Yadav)
First Appellate Authority

Copy to :

1. Mr. Govind Sharma
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Jaipur
Rajasthan
2. Mr. Saidutta Mishra
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3. Directorate of IT - For publishing on the website