

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. 84/2022

IN THE MATTER OF:

Jayant Rai
Aditya, Plot No 38,
Kalanagar, Mahsru,ul,
Nasik-422004
Maharashtra

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: 9th November, 2022

ORDER

1. The Appellant has filed first appeal on 11.10.2022 under Section 19(1) of the Right to Information Act, 2005 in connection with response Ref. No. RTI 2005/5404(22) dated 10.10.2022 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 application dated 12.09.2022 has requested to provide the details of the Jyoti who is wife of Appellant, information attached in the file whether she has completed the Company Secretary programme if yes kindly provide the certificate. Also, kindly provide her certificate of practice. If any other extra details of the candidate will be highly obliged.
3. The Appellant has informed in the instant appeals that "Refused access to Information Requested".
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. Jyoti) 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 Ms. Jyoti, hence, the information sought cannot be provided.

The appeal is accordingly disposed of.

Sd/-
(Ankur Yadav)
First Appellate Authority

Copy to :

1. Mr. Jayant Rai
Aditya, Plot No 38,
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Nasik-422004
Maharashtra
2. Mr. Saidutta Mishra
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3. Directorate of IT - For publishing on the website