

**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.)**

**OFFLINE APPEAL (04/2022)**

IN THE MATTER OF:

Kamal Kishor Saini  
H. No. - 390 A,  
Gali No. - 13,  
Chander Quarter,  
New Delhi-110035

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: 19<sup>th</sup> July, 2022

**ORDER**

1. The Appellant has filed first offline appeal on 30.06.2022 (received on 05.07.2022) under Section 19(1) of the Right to Information Act, 2005 in connection with response Ref. No. RTI 2005/5311/(22) dated 27.05.2022 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 01.05.2022 has requested to provide information regarding Registration No. and Date of Registration of his wife named Babita Saini D/o Sh. Kanhiya Lal Saini.
3. The Appellant has requested in the instant appeal that "There is nothing privacy in husband and wife and there is no harm to anyone about this information. You are requested to look in to matter."
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. Babita Saini) inviting her to make submission(s), as to whether the information as sought by the applicant (appellant herein) should be disclosed or not.

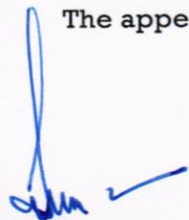
However, the said third party has not submitted her reply to disclose the information as sought by the applicant (appellant herein). Therefore, as per the provisions of the RTI Act, 2005, the information pertaining to third party was declined and exempted under section 8(1)(j) of the RTI Act, 2005.

Further, it may be noted that the reply against the RTI application was sent on 27.05.2022 (delivered to RTI applicant on 30.05.2022) and the 1st appeal dated 30.06.2022 received in the Institute on 05.07.2022, therefore, without going into the merit of the appeal, it is observed that the appellant has preferred this 1st appeal after the prescribed period for preferring an appeal (i.e. within 30 days from receipt of reply of RTI application) under Section 19(1) of the RTI Act, 2005.

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. Since the consent of Ms. Babita Saini to disclose her information to the Appellant has not been received by the CPIO hence, the information sought cannot be provided.

The appeal is accordingly disposed of.



(Ankur Yadav)  
First Appellate Authority

Copy to :

1. Mr. Kamal Kishor Saini  
H. No. - 390 A,  
Gali No. - 13,  
Chander Quarter,  
New Delhi-110035
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