

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 (06/2022)

IN THE MATTER OF:

Kamal Kishor Saini
C/o Kamlesh
H. No. -20/12 A
Gali No. - 20
Sadh Nagar, Palam Colony
New Delhi-110045

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: 22nd November, 2022

ORDER

1. The Appellant has filed first offline appeal on 20.10.2022 (received on 25.10.2022) under Section 19(1) of the Right to Information Act, 2005 in connection with response Ref. No. RTI 2005/5388/(22) dated 22.09.2022 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 18.08.2022 (received in the Institute on 24.08.2022) has requested to provide a certified copy of admission records of his wife named Babita Saini w/o Kamal Kishor Saini.
3. The Appellant has requested in the instant appeal "kindly looking matter and provide detailed information and related documents".
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.

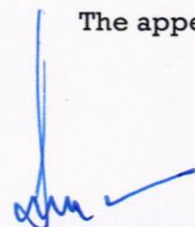
However, the said third party has not submitted her reply for disclosure of the information as sought by the applicant (appellant herein). Therefore, as per the provisions of the RTI Act, 2005, the information pertaining to third party was declined and exempted under section 8(1)(j) of the RTI Act, 2005.

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. 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
C/o Kamlesh
H. No. -20/12 A
Gali No. - 20
Sadh Nagar, Palam Colony
New Delhi-110045
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