

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 (05/2022)

IN THE MATTER OF:

Dinesh Vats
202, Nidhi Plaza-1,
L.S.C. Gulabi Bagh
New Delhi- 110052

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: 18th October, 2022

ORDER

1. The Appellant has filed first offline appeal dated nil (received to FAA Office on 20.09.2022) under Section 19(1) of the Right to Information Act, 2005, against the Central Public Information Officer (CPIO) (hereinafter referred to as Respondent) of the Institute of Company Secretaries of India. Response from the Respondent provided to the Applicant (Appellant herein) vide Ref. No. RTI 2005/5409/(22) dated 15.10.2022 .
2. The Appellant vide his RTI application dated 20.07.2022 has requested to provide the various information.
3. The Appellant has requested in the instant appeal that "please provide the requisite information and imposed penalty on the concerned official."
4. The reply of the Respondent against the instant appeal is as under: -

"The reply of RTI Application of the appellant has been given vide letter number RTI 2005/5409/(22) dated 15th October, 2022 as under:

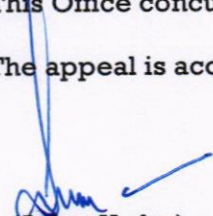
S. No.	INFORMATION REQUESTED	REPLY
1.	Please provide me the information/details about the authority/ committee competent to decide the amount of fee and due dates of membership/CP fees and related issues	The Council of the Institute as per the Company Secretaries Act, 1980 (as amended from time to time) is the competent authority. In certain cases prior approval of the Central Government (Ministry of Corporate Affairs, Government of India to be precise) is required. Please refer Section 4(3), 5(2), 6(2), 19(4), 20(3) of the Company Secretaries Act, 1980 (as amended from time to time) and Regulations 6, 8(1), 11(1)(e) and 13(2) of the Company Secretaries Regulations, 1982 (as amended from time to time). The details of the Council are available on the Institute's website / at the link: https://www.icsi.edu/media/webmodules/Council_ICSI_FY2022.pdf .
2.	Please provide me information/details of Committee members for deciding the membership fees and other related issues	
3.	Please provide me information /details of the officer/authority responsible for providing technical support for fee payment to the portal for the current year 2022	The Institute is currently availing technical support for membership payment from M/s. Gemini Consulting and Services India Pvt. Ltd., who is the developer of stimulate membership portal.

4.	Please provide me the information and details of action taken till date by the authority/committee on the technical glitches of portal for the payment of membership fees during June 2022	The portal for payment of membership fee has been running continuously during the referred period.
5.	Please provide me the information and recommendations or representations given by 5 elected central council members from Northern Region on membership/ glitches, etc.	Collation of requisite information is not maintained.
6.	Please clarify the role of Ministry of Corporate Affairs in the matter of fee / extension of due date for payment of membership fees, etc.	Please refer Section 4(3), 5(2), 6(2), 19(4), 20(3) of the Company Secretaries Act, 1980 (as amended from time to time) and Regulations 6, 8(1), 11(1)(e) and 13(2) of the Company Secretaries Regulations, 1982 (as amended from time to time). Please refer Section 4(3), 5(2), 6(2), 19(4), 20(3) and Regulations 6, 8(1), 11(1)(e) and 13(2) of the Company Secretaries Regulations, 1982 (as amended from time to time).
7.	Please provide me the information for the status and restrictions on members whose fees has not been paid on 30.06.2022	The status of Members remain Current/Active till they are declared Defaulter after non-receipt of annual membership fee by the last date and after due bank reconciliation process is completed thereafter. In 2022, 31st July was the last date to accept the Annual Membership /COP fees for the FY 2022-23 as decided by the competent authority. List of Defaulters was finalized on 05.08.2022 in 2022 and members concerned were accordingly intimated.

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 appeal is accordingly disposed of.


(Ankur Yadav)
First Appellate Authority

Copy to :

1. Mr. Dinesh Vats
202, Nidhi Plaza-1,
L.S.C. Gulabi Bagh
New Delhi- 110052
2. Mr. Saidutta Mishra
Central Public Information Officer
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ICSI House, 22, Institutional Area
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New Delhi - 110 003
3. Directorate of IT - For publishing on the website