

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

Appeal No. 145/2023

IN THE MATTER OF:

Anil Kumar Dubey
336A Taramoni Ghat Road
Jayshree Apartment 3rd floor
Kolkata- 700041 (WB)

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: 26th April, 2023

ORDER

1. The Appellant has filed first appeal No. ICSIO/A/E/23/00145 on 28.03.2023 under Section 19(1) of the Right to Information Act, 2005 in connection with Response Ref. No. RTI 2005/5493/(23) dated 10.03.2023 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 12.02.2023 has requested to provide minutes of 322nd Meeting of Eastern India Regional Council of the Institute of Company Secretaries of India."
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: -

"The minutes of the Regional Council includes the matters of commercial confidence, trade secrets or intellectual property, the disclosure of which could harm the competitive position of the third party. Further, the minutes also contains information which are fiduciary in nature and personal information. The minutes also contains confidential matters of proprietary. Therefore, the information sought is exempted under Section 8(1)(d), 8(1)(e) and 8(1)(j) of the RTI Act, 2005."

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

Therefore, the appeal deserves to be dismissed."

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 minutes of Regional council includes the confidential matters pertaining to trade secrets/Intellectual property of ICSI/ personal information etc. hence exempted under section 8(1)(d), 8(1)(e) and 8(1)(j) of the RTI Act, 2005 & cannot be provided.

The appeal is accordingly disposed of.

Sd/-
(Ankur Yadav)
First Appellate Authority
Copy to :

1. Mr. Anil Kumar Dubey
336A Taramoni Ghat Road
Jayshree Apartment 3rd floor
Kolkata- 700041 (WB)
2. Shri 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