

OFFICE OF THE FIRST APPELLATE AUTHORITY
(Designated 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. 00025/2026

IN THE MATTER OF:

Aehsan Khan
E-35, Vrundavan Society,
Refinery Gorwa Road,
b/h Madhav Provision Store,
Gujarat – 390016

Appellant

Vs.

Central Public Information Officer
The Institute of Company Secretaries of India
'ICSI House', 22, Institutional Area, Lodi Road,
New Delhi – 110003

Respondent

Date of Order: 6th June, 2026

ORDER

- (1) The Appellant has filed first Appeal No. ICSOI/A/E/26/00025 on 09/05/2026 under Section 19(1) of the Right to Information Act, 2005 in connection with Response vide letter dated 05/05/2026 against the Central Public Information Officer (hereinafter referred to as Respondent) of the Institute of Company Secretaries of India.
- (2) The Appellant vide his RTI Application No. ICSOI/R/T/26/00013 dated 07/04/2026 has requested the following information:
 1. Regarding Oversight of ICSI Disciplinary Mechanism:
 - a) Provide a certified copy of the Performance Review or Audit Report of the ICSI Disciplinary Directorate conducted by the MCA for Financial Years 2023-24 and 2024-25.
 - b) Provide the total number of Complaints against the ICSI received by the MCA (via PG portal or physical mail) regarding the delay in disposal of disciplinary cases by the Institute for the period financial year 2015-2016 to 2025-2026.

- c) Provide a certified copy of any Directions or Circulars issued by the MCA to the ICSI under Section 35 of the Company Secretaries Act 1980 regarding the improvement of transparency or efficiency in disciplinary proceedings.
 2. Regarding Case Aging and Pendency Data:
 - a) Provide a certified copy of any Aging Report or Pendency Analysis submitted by the ICSI to the MCA (as part of its Annual Report or periodic submissions) for the year ending March 31 2026.
 - b) Provide certified copy of information on the average time for case disposal reported by the ICSI to the Ministry during the last 10 financial years.
 3. Regarding Confidentiality and Public Interest:
 - a) Provide a certified copy of any MCA policy or guideline that governs the confidentiality of disciplinary proceedings of statutory bodies when such proceedings involve allegations of fraud or forgery impacting the public interest.
- (3) The Appellant has submitted in his instant appeal regarding the reply provided by the Respondent to the RTI queries as under:

"Grounds: 1) Evasive Redirects: For Queries 1a, 1b, and 1c, the CPIO provided a generic link to the Act and Rules. This does not provide the specific Performance Reviews, Complaints received by MCA, or Directions issued under Section 35 which are distinct pieces of correspondence and reports. 2) Denial of Aging Reports (Query 2a/2b): The CPIO claims no aging information is submitted for the Annual Report. However, the request was for any Aging Report or Pendency Analysis submitted to the MCA. If such data is shared with the Ministry for oversight, it is a record that must be disclosed regardless of whether it is printed in the final public Annual Report. 3) Confidentiality Policy (Query 3a): Pointing to the general Act/Rules fails to answer if a specific internal policy or guideline exists regarding the balance between confidentiality and public interest in fraud cases."

- (4) The reply of the Respondent against the instant appeal is as under: -

"Written submission to query numbers 1 to 3: - "Our reply remains the same as provided in RTI Reply dated 05.05.2026."

Further, it is to inform that the "the public authority under the RTI Act, 2005 is not to create or collate information; or to interpret information. Therefore, the information which is readily available in the format/content can only be provided to the appellant and not as per the choice of the information seeker. The reply(ies) to the query(ies) cannot be created and designed in the manner and wish of the appellant.

Therefore, the contents made in the RTI Reply stands as it is and 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.

This office concurs with the submissions of the Respondent in his reply to the instant appeal.

The appeal is accordingly disposed of.

Sd/-

(Ashvini Kumar Srivastava)
First Appellate Authority

Copy to:

1. Aehsan Khan
E-35, Vrundavan Society,
Refinery Gorwa Road,
b/h Madhav Provision Store,
Gujarat – 390016
2. Central Public Information Officer
The Institute of Company Secretaries of India
'ICSI House', 22, Institutional Area, Lodi Road,
New Delhi – 110003
3. Directorate of IT – For publishing on the website