

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. 00026/2026

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/26/00026 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/E/26/01315 dated 06/04/2026 has requested the following information:
1. Regarding Disciplinary Outcomes (FY 2015-16 to FY 2025-26):
 - a) Provide the total number of Disciplinary Orders passed by the Board of Discipline and Disciplinary Committee for each Financial Year from 2015-16 to 2025-26.
 - b) Provide the breakdown of Guilty vs Not Guilty verdicts as recorded in the Annual Reports or Council summaries for these years.
 - c) Provide the total number of members whose names were removed from

the Register of Members due to Disciplinary Misconduct, categorized by the duration of removal: (i) Permanent Removal, (ii) Removal for 5 years or more, (iii) Removal for 1 to 5 years, and (iv) Removal for less than 1 year.

2. Regarding the Statutory Register of Complaints (Rule 7):
 - a) Under Rule 7 of the Company Secretaries (Procedure of Investigations) Rules 2007, provide a digital extract or certified copy of the Register of Complaints for the period FY 2015-16 to FY 2025-26.
 - b) The extract should include: (i) Case Registration Number, (ii) Date of Receipt, (iii) Date of Registration, and (iv) Date of Final Order. (Note: This seeks existing records from the statutory register).
3. Regarding Pendency and Aging Analysis:
 - a) Provide a certified copy of the Age-wise Analysis of all pending disciplinary cases as of March 31, 2026, categorized by duration of pendency: (i) 0-1 year, (ii) 1-3 years, (iii) 3-5 years, and (iv) above 5 years.
4. Regarding Disciplinary Precedents for Statutory Violations:
 - a) Provide the total number of cases where a CS was found Guilty of professional misconduct under Item (7), Part I, Second Schedule (Gross Negligence) related to Companies Act filings from FY 2020-21 to FY 2025-26.
5. Regarding Public Interest and Suo Motu Action:
 - a) Provide the total number of cases where a complaint was withdrawn by the complainant but the Institute continued the proceedings Suo Motu in the public interest for the period FY 2015-16 to FY 2025-26.
 - b) Provide a certified copy of any Performance Audit Report or review document prepared by the Quality Review Board (QRB) regarding the time taken for disposal of cases for FY 2025-26.

(3) The Appellant has submitted in his instant appeal regarding the reply provided by the Respondent to the RTI queries as under:

"Appeal (Grounds): 1) Misrepresentation of Rule 7: The CPIO states that Rule 7 of

the CS (Procedure of Investigations...) Rules, 2007 does not provide for a Statutory Register of Complaints. However, Rule 7 explicitly mandates the maintenance of records for complaints. Denying the existence of this record based on nomenclature is an attempt to withhold a digital extract of existing data. 2) Failure under Section 4: A statutory body passing judicial orders cannot claim that a count of Guilty vs Not Guilty verdicts is not maintained. This data is a core functional record. 3) Invalid Redirect (Section 7(9)): Providing a search link and requiring the appellant to perform a manual data mining exercise of thousands of orders is not a fulfillment of the request for specific statistical records held by the public authority. 4) Aging Analysis (Query 3): Claiming pendency data is not maintained contradicts the basic principles of administrative oversight and Section 4 of the RTI Act."

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

"Written submission to query numbers 1 to 5: - "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
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3. Directorate of IT – For publishing on the website