

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. 00034/2026

IN THE MATTER OF:

Niranjhan M S
1A Vishwakamal 62/245, RK Mutt Road,
Mylapore – 600 004, Tamil Nādu

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: 22nd July, 2026

ORDER

- (1) The Appellant has filed first Appeal No. ICSOI/A/E/26/00034 on 24/06/2026 under Section 19(1) of the Right to Information Act, 2005 in connection with Response vide letter dated 17/06/2026 against the Central Public Information Officer (hereinafter referred to as Respondent) of the Institute of Company Secretaries of India.
- (2) The Appellant vide her RTI Application No. ICSOI/R/E/26/01416 dated 23/05/2026 has requested the following information:

S. No.	INFORMATION REQUESTED
	Under the RTI Act, 2005, kindly furnish the following information regarding Mr. M. Sathya Kumar, who has declared in a public election affidavit that he possesses ACS qualification from ICSI.
1.	Whether Mr. M. Sathya Kumar was enrolled with ICSI.
2.	Membership number and present status.

S. No.	INFORMATION REQUESTED
	Under the RTI Act, 2005, kindly furnish the following information regarding Mr. M. Sathya Kumar, who has declared in a public election affidavit that he possesses ACS qualification from ICSI.
3.	Date of qualification/admission as Associate Company Secretary.
4.	Whether membership remains valid.
5.	Whether any disciplinary proceedings exist or existed against him.
6.	Certified copy/extract of relevant membership records.

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

S. No.	GROUND OF APPEAL
	To The First Appellate Authority Shri Ashvini Kumar Srivastav Joint Secretary / First Appellate Authority (RTI) The Institute of Company Secretaries of India (ICSI) Subject: First Appeal under Section 19(1) of the Right to Information Act, 2005 against the reply dated 17.06.2026 bearing Ref. RTI 2005/7273(26) issued by the Central Public Information Officer, ICSI, rejecting the information sought in the RTI application dated 23.05.2026. Respected Sir, That the Appellant had filed an online RTI Application dated 23.05.2026 under the Right to Information Act, 2005 seeking certain information regarding Mr. M. Sathya Kumar, who had declared in a public election affidavit that he possesses ACS qualification from ICSI That the CPIO, ICSI vide reply dated 17.06.2026 has denied the entire information stating that The information sought is exempted under Section 8(1)(j) of the Right to Information Act, 2005. Grounds of Appeal:
a.	The impugned reply is mechanical, non-speaking, and passed without application of mind. The CPIO has not given any cogent reason as to how the information sought attracts the exemption under Section 8(1)(j) of the RTI Act.
b.	The information sought relates to the professional qualification, enrolment, membership status, and disciplinary record of a person who has publicly declared possession of ACS qualification from ICSI in an election affidavit. Such information pertains to public activity and has a clear relationship with public activity (holding of public office through election on the basis of such declaration).

S. No.	GROUNDS OF APPEAL
	To The First Appellate Authority Shri Ashvini Kumar Srivastav Joint Secretary / First Appellate Authority (RTI) The Institute of Company Secretaries of India (ICSI) Subject: First Appeal under Section 19(1) of the Right to Information Act, 2005 against the reply dated 17.06.2026 bearing Ref. RTI 2005/7273(26) issued by the Central Public Information Officer, ICSI, rejecting the information sought in the RTI application dated 23.05.2026. Respected Sir, That the Appellant had filed an online RTI Application dated 23.05.2026 under the Right to Information Act, 2005 seeking certain information regarding Mr. M. Sathya Kumar, who had declared in a public election affidavit that he possesses ACS qualification from ICSI That the CPIO, ICSI vide reply dated 17.06.2026 has denied the entire information stating that The information sought is exempted under Section 8(1)(j) of the Right to Information Act, 2005. Grounds of Appeal:
c.	Section 8(1)(j) exempts information which has no relationship to any public activity or interest or which would cause unwarranted invasion of the privacy of the individual. In the present case, there is no invasion of privacy because: The person himself made a public declaration in an election affidavit. Verification of educational/professional qualifications of persons holding or contesting public positions is a matter of larger public interest.
d.	The Honble Supreme Court and various High Courts have repeatedly held that information regarding educational qualifications, professional memberships, and disciplinary records of public functionaries / candidates in elections is liable to be disclosed under the RTI Act in the interest of transparency and accountability.
e.	ICSI, being a statutory body under an Act of Parliament, is duty-bound to maintain transparency in matters relating to membership and professional qualifications of its members, especially when such qualifications are claimed in public affidavits.
f.	The CPIO has failed to apply the public interest test as mandated under the proviso to Section 8(1)(j) and Section 8(2) of the RTI Act It is, therefore, most respectfully prayed that this Honble First Appellate Authority may be pleased to Direct the CPIO to furnish the information sought

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

“Our reply remains the same as provided in RTI Reply dated 17.06.2026.”

Since the information as sought by applicant (appellant herein) is relating to the third party, 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

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.
- (6) This office concurs with the submissions of the Respondent in his reply to the instant appeal.
- (7) The appeal is accordingly disposed of.

Sd/-

(Ashvini Kumar Srivastava)
First Appellate Authority

Copy to:

1. Niranjhan M S
1A Vishwakamal 62/245, RK Mutt Road,
Mylapore – 600 004, Tamil Nādu
2. Central Public Information Officer
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'ICSI House', 22, Institutional Area, Lodi Road,
New Delhi – 110003
3. Directorate of IT – For publishing on the website