

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.00051/2025

IN THE MATTER OF:

Mr. Ashish O Lalpuria
502, Zee Square, Opp Bank of Baroda
Vile Parle East,
Mumbai - 400057
Maharashtra

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: 23rd August 2025

ORDER

- (1) The Appellant has filed first Appeal- No. ICSOI/A/E/25/00051 on 26.07.2025 under Section 19(1) of the Right to Information Act, 2005 in connection with Response vide letter dated 15.07.2025 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/25/02102 dated 20/06/2025 has requested the following information:

“Since this RTI Application contains more than 3000 characters, A copy of the RTI application is attached for your response as per clause 6 of the GUIDELINES FOR USE OF RTI ONLINE PORTAL.

1. Whether any email, letter, circular, memorandum, or any other form of written/electronic correspondence was sent to the Regional Directors of Western India Regional Council (WIRC), Southern India Regional Council(SIRC), Eastern India Regional Council (EIRC),Northern India Regional Council (NIRC) and all three CCGRT and / or the chapters coming under them directly or indirectly CCGRT directing, instructing, advising, or suggesting that I, Ashish O Lalpuria (Having ICSI Membership No. F9381), should not be called/invited for any sessions, lectures, or programs for students due to any ban or restriction imposed on me, any disciplinary action, or any other reasons whatsoever during the month of February 2025.
2. If the answer to question 1 is no, what are the reasons for cancellation of my scheduled lectures/sessions that were previously confirmed in the month of

February, 2025?

3. If the answer to question 1 is no, please provide copies of all internal communications, notes, minutes of meetings, or decisions taken regarding the cancellation of my scheduled lectures?
4. If the answer to question 1 is no, what are the names and designations of officials who took the decision to cancel my lectures?
5. If the answer to question 1 is no, what official policy/guidelines were followed for such cancellations?
6. If the answer to question 1 is yes, please provide certified copies of all such emails, letters, circulars, memorandum or correspondence?
7. If the answer to question 1 is yes, what was the date and time of such communication?
8. If the answer to question 1 is yes, what were the names and designations of sender(s) and recipient(s) of such correspondence?
9. If the answer to question 1 is yes, what was the subject matter and complete content of such correspondence?
10. If the answer to question 1 is yes, were there any attachments or enclosures with such correspondence? If yes, please provide copies.
11. If the answer to question 1 is yes, were there any follow-up communications on the same matter? If yes, please provide copies.
12. If the answer to question 1 is yes, on what legal authority, rule, regulation, or policy was such correspondence issued?
13. If the answer to question 1 is yes, what procedure was followed before issuing such correspondence?
14. If the answer to question 1 is yes, what are the names and designations of all officials involved in the decision-making process?
15. If the answer to question 1 is yes, please provide copies of all files, notings, and records leading to this decision.
16. If the answer to question 1 is yes, were there any meetings where this matter was discussed and if yes, please provide minutes of such meetings."

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

BEFORE THE FIRST APPELLATE AUTHORITY,
INSTITUTE OF COMPANY SECRETARIES OF INDIA (ICSI)

FIRST APPEAL NO: /2025

IN

RTI APPLICATION NO ICSOI/R/E/25/02102/2025

Ashish O. Lalpuria
Practising Company Secretary
502, Zee Square, M.G. Road,
Opp. Bank of Baroda, Vile Parle (East)
Mumbai – 400057

... APPELLANT

Versus

Mr./Ms. Banu Dandona,
Director/ Central Public Information Officer,
Institute of Company Secretaries of India
C-36, Sector -62, NOIDA,
Uttar Pradesh - 201309

.... RESPONDENT

To,
THE FIRST APPELLATE AUTHORITY
INSTITUTE OF COMPANY SECRETARIES OF INDIA

**THE HUMBLE APPEAL OF THE APPELLANT ABOVE NAMED
MOST RESPECTFULLY SHOWETH THAT: -**

1. Being aggrieved by the reply dated 15.07.2025 received by the Appellant denying the information sought by the Appellant under the Right to Information Act by the Central Public Information Officer on the grounds narrated therein, the present Appellant challenges the denial of information on the facts, circumstances and the grounds narrated herein under.
2. The Appellant is a citizen of India and the original applicant seeking information under the Right to Information Act, 2005. The Appellant is a practicing company secretary registered with the Institute of Company Secretaries of India. The Respondent is the public authority as contemplated under the Right to Information Act, 2005 from whom the Appellant has sought information and the authority who has written to the Appellant the correspondence dated 15.07.2025 received by the Appellant refusing to divulge the information sought under the Right to Information Act, 2005.
3. The Brief facts of the case are as follows:

- a) The present Appellant filed one application dated 20.06.2025 seeking information more specifically narrated therein. Hereto marked and annexed is a copy of the RTI application dated 20.06.2025 as **“Exhibit A”**
 - b) On 15.07.2025 the RTI was disposed by the present respondent i.e. Central Public Information Officer of the Institute with the following reply –
“This is in form of query, thus not an information as per Section 2(f) of the RTI Act, 2005”. Hereto marked and annexed is copy of the reply dated 15.07.2025 of the respondent refusing information under the act as **“Exhibit B”**
 - c) The definition of “Query” as per Oxford Learner’s Dictionary is *“a question, especially one asking for information or expressing a doubt about something”*.
 - d) The definition of “information” as per Section 2(f) of the Right to Information Act, 2005 is *“means any material in any form, including records, documents, memos, e-mails, opinions, advices, press releases, circulars, orders, logbooks, contracts, reports, papers, samples, models, data material held in any electronic form and information relating to any private body which can be accessed by a public authority under any other law for the time being in force”*
 - e) The information sought by the appellant vide its request dated 20.06.2025 clearly falls within the ambit and definition of “information” under Section 2(f) of the RTI Act, 2005, and is thus subject to disclosure under the provisions of the said Act.
 - f) Therefore, it is absolutely clear that the refusal of the CPIO is baseless and without any legal justification and reflects the mechanical refusal of information by the respondent
4. Therefore, being aggrieved by the reply of the Central Public Information Officer of the Institute the Appellant files the present first appeal on the following amongst other grounds;

G R O U N D S

- i. The blatant act of the Respondent- Central Public Information Officer of the Institute in not supplying the required information to the present Appellant is illegal, void and without jurisdiction.
- ii. The reply is against the express provisions of the RTI Act.
- iii. The information sought for is squarely covered under the definition of information u/s 2(f) of the Act and therefore it casts a duty on the respondent to furnish the requested information.
- iv. That the question asked by the appellant is in a form of query as claimed respondent, the respondent fails to give any reason as to how the query is not covered under the definition of information as under section 19(5) of the Act, it is the duty of the CPIO to prove that the requested information is not covered under the provisions of Right to Information Act, 2005.
- v. That the respondent has patently erred in not providing the requested information, although the same is not covered by any of the exceptions disallowing the giving of the information of the Act.
- vi. The denial of the information is general and not specific as per the questions asked, thereby flagrantly violating the provisions of severability under Section 10 of the RTI Act.
- vii. That the mechanical refusal of the information by the respondent is a direct violation of the Act thereby attracting penal actions Section 20 of the Act.
- viii. The reply of the respondent without affording the appellant an opportunity of being heard is in violation of principle of natural justice.
5. The present appellate authority has jurisdiction to deal with present matter under the facts and circumstances of the case.
6. The present appeal is filed within time calculated from 15.07.2025 as the Appellant received the correspondence refusing the information sought under the RTI act on 15.07.2025.

7. Appropriate fee is being paid.
8. The present Appellant most humbly seeks the permission of the present Hon'ble Authority to add, amend, delete and even replace any part of the present appeal memo or even the whole appeal memo if the need so arises.
9. The Appellant therefore most humbly prays as under:
 - i. Admit the present appeal.
 - ii. Issue Notice to the Respondent in the present case.
 - iii. Call the Central Public Information Officer of the Institute to explain his acts in relation to the Right to Information Act;
 - iv. The Hon'ble Authority direct the respondent to supply the required information to the present Appellant.
 - v. The present respondent be penalised for not supplying the required information to the Appellant under the express provisions of the RTI act.
 - vi. Any other relief be granted if found to be in the interest of justice, fairness and equity, but not asked for in the present appeal memo.

Date: 26/07/2025
Place: Mumbai

Signature of the Appellant
Ashish O. Lalpuria

Exhibit A

Questions Asked -

1. Whether any email, letter, circular, memorandum, or any other form of written/electronic correspondence was sent to the Regional Directors of Western India Regional Council (WIRC), Southern India Regional Council (SIRC), Eastern India Regional Council (EIRC), Northern India Regional Council (NIRC) and all three CCGRT and / or the chapters coming under them directly or indirectly CCGRT directing, instructing, advising, or suggesting that I, Ashish O Lalpuria (Having ICSI Membership No. F9381), should not be called/invited for any sessions, lectures, or programs for students due to any ban or restriction imposed on me, any disciplinary action, or any other reasons whatsoever during the month of February 2025.
2. If the answer to question 1 is no, what are the reasons for cancellation of my scheduled lectures/sessions that were previously confirmed in the month of February, 2025?
3. If the answer to question 1 is no, please provide copies of all internal communications, notes, minutes of meetings, or decisions taken regarding the cancellation of my scheduled lectures?
4. If the answer to question 1 is no, what are the names and designations of officials who took the decision to cancel my lectures?
5. If the answer to question 1 is no, what official policy/guidelines were followed for such cancellations?
6. If the answer to question 1 is yes, please provide certified copies of all such emails, letters, circulars, memorandum or correspondence?
7. If the answer to question 1 is yes, what was the date and time of such communication?
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11. If the answer to question 1 is yes, were there any follow-up communications on the same matter? If yes, please provide copies.
12. If the answer to question 1 is yes, on what legal authority, rule, regulation, or policy was such correspondence issued?
13. If the answer to question 1 is yes, what procedure was followed before issuing such correspondence?
14. If the answer to question 1 is yes, what are the names and designations of all officials involved in the decision-making process?
15. If the answer to question 1 is yes, please provide copies of all files, notings, and records leading to this decision.
16. If the answer to question 1 is yes, were there any meetings where this matter was discussed and if yes, please provide minutes of such meetings.
17. What is the usual/standard procedure followed by the organization before restricting or banning any individual from conducting lectures/sessions?

18. If the answer to question 1 is yes, was any hearing conducted before taking such decision?
19. If the answer to question 1 is yes, whether any opportunity of being heard was given to me?
20. If the answer to question 1 is yes, was any show cause notice issued to me before taking this decision?
21. If the answer to question 1 is yes, were principles of natural justice followed?
22. If the answer to question 1 is yes, who authorized/approved the sending of such correspondence?
23. If the answer to question 1 is yes, please provide copies of all approval orders, sanctions, or permissions obtained for taking such action.
24. If the answer to question 1 is yes, what level of authority is required for such decisions as per organizational rules?
25. If the answer to question 1 is yes, what are the specific grounds/reasons cited for taking such action against me?
26. If the answer to question 1 is yes, please provide copies of all evidence, complaints, reports, or documents relied upon for taking this decision.
27. If the answer to question 1 is yes, was any inquiry or investigation conducted? If yes, please provide details.
28. If the answer to question 1 is yes, was I informed about this decision through any official communication?
29. If the answer to question 28 is yes, please provide copies of all such communications sent to me.
30. If the answer to question 28 is no, what are the reasons for not informing the affected person?
31. Please provide copy of the register/record maintaining details of all guest lecturers/speakers for the relevant period?
32. Were there any meetings where my name or my lectures were discussed and if yes, please provide minutes of such meetings?
33. Please provide copy of all rules, regulations, policies, or guidelines governing the engagement of guest lecturers/speakers?
34. What are the standard operating procedures for disciplinary actions or restrictions on lecturers?
35. What appeal mechanism is available to affected persons?
36. Have similar actions been taken against other lecturers/speakers in the last 5 years and if yes, please provide details?
37. What procedure was followed in such similar cases?
38. Please provide complete file with all notings, correspondence, and records related to my case.
39. Was any legal opinion sought in this matter? If yes, please provide copy of such opinion.

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

““Our reply remains the same as provided in RTI Reply dated 15.07.2025.”

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.

Further, in the Exhibit A of RTI Appeal dated 26.07.2025, the appellant has raised additional queries from serial number 17 to 39 and accordingly the same cannot be added to the queries of the RTI Application dated 20.06.2025 at the 1st appeal stage.

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/-

(Asit Kumar Rath)
First Appellate Authority

Copy to:

1. Mr. Ashish O Lalpuria
502, Zee Square, Opp Bank of Baroda
Vile Parle East,
Mumbai – 400057
Maharashtra
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