

**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.00073/2024**

IN THE MATTER OF:

Mr. Harsh  
H.No. – 759, Sector - 4,  
Gurgaon – 122001  
Haryana

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: 04th September 2024

**ORDER**

- (1) The Appellant has filed first Appeal- No. ICSOI/A/E/24/00073 on 09.08.2024 under Section 19(1) of the Right to Information Act, 2005 in connection with Response vide letter dated 08.08.2024 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/24/08295 dated 18.07.2024 has submitted that Service request no. / complaint no. SRN09022024114453 and SRN09022024021413 were registered with ICSI on 9th Feb 2024 against Shri Dhiraj Kapoor, Neerja Sharma as well as Hero MotoCorp Limited and others. Unique complaint reference numbers DC/1031/2024 and DC/1032/2024 were allotted by ICSI on 29th Feb 2024 against Shri Dhiraj Kapoor, FSC-5454, Neerja Sharma, ACS-9630 as well as Hero MotoCorp Limited and others. Pleadings have already been completed from both sides by 19th Apr 2024 itself through written submission. It is more than 159 days (more than 5 months) hence please provide the copies of the action taken report by ICSI disciplinary committee date wise with department and designation after completion of pleadings from both sides on 19<sup>th</sup> April 2024. Therefore, following information may be provided to him:
  - a) Please provide the copies of the enquiry /investigation done since 9th Feb 2024 as it is more than 159 days now and still no information is provided to the complainant.
  - b) If no action is taken by the Disciplinary Committee of ICSI against Dhiraj Kapoor, Neerja Sharma and Hero MotoCorp Limited then provide me the name of the authority, designation who has directed that no action to be taken against Dhiraj Kapoor, Neerja Sharma and Hero MotoCorp Limited in the complaint number DC/1031/2024 and

DC/1032/2024.

- c) Please provide me with the details on the timeline set by the ICSI Disciplinary Committee to decide the case no. DC/1031/2024 and DC/1032/2024 on merit.
- d) Also please tell me why all the information related to the case is not being shared with the complainant that is undersigned. And please immediately share all the investigation / enquiry report with the complainant so that complete transparency is maintained in the matter.

- (3) The Appellant has submitted in the instant appeal with regards to the reply provided by the Respondent to the RTI queries as follows:

“My complaint no. / case no. DC/1031/2024 and DC/1032/2024 are pending from 6 months now that is 180 days. And still case is not decided, and no action has been taken against the guilty person and the company. It seems my complaint is getting managed or manipulated because the alleged company and its officials are very Influential and Rich people of Delhi and Haryana. They are trying to manage my complaints so that truth is not reviled to the whole world. And even they are trying to keep various Government agencies and institutions in dark for their wrong doings with general public at large. Hence considering the seriousness and criticality of the situation it is my humble request to please personally monitor my complaint so that I can get justice on the matter and alleged company and its officials are punished for their wrong doings with public, various Government institution's and even our honourable courts.”

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

“Since the RTI application pertains to Directorate of Discipline of the ICSI, therefore, the CPIO has asked for written submission from concerned Directorate for the same. Their submission is mentioned below:

The Complainant Mr. Harsh Vig (Appellant herein) has filed two complaints of professional or other misconduct against Shri Dhiraj Kapoor, FCS-5454 (DC/1031/2024) and Ms. Neerja Sharma, ACS-9630 (DC/1032/2024). The complaints are being dealt in accordance with the Company Secretaries Act, 1980 (the Act) read with the Company Secretaries (Procedure of investigations of professional and other misconduct and conduct of cases) Rules, 2007 (the Rules). Pursuant to the Rules, copy of written statement received from Shri Dhiraj Kapoor, FCS-5454 and Ms. Neerja Sharma, ACS-9630 in the respective complaints have been sent to the Complainant for submission of his rejoinder, which has been received.

The complaint number DC/1031/2024 and DC/1032/2024 are under investigation in accordance with the Act read with the Rules and further information/documents will be provided in the matter(s) as per provisions of the Rules.

The Act and the Rules are available on ICSI website [www.icsi.edu](http://www.icsi.edu).

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.

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. Harsh  
H.No. – 759, Sector - 4,  
Gurgaon – 122001  
Haryana
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