

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.)

1st Appeal (Manual) dated 01.07.2024
(Ref.: RTI Application dated 08.06.2004, ICSI Letter No. RTI 2005/6002/(24) dated 20.06.2024)

IN THE MATTER OF:

Ms. Anchal Beriwal
14/21/9, Sanatan Mistry Lane, 3rd Floor,
Howrah – 711106, West Bengal

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: 24th July, 2024

ORDER

- (1) The Appellant has filed first Appeal (Manual) dated 01.07.2024 received in the office of FAA on 10.07.2024 under Section 19(1) of the Right to Information Act, 2005 in connection with Response vide letter dated 20.06.2024 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 dated 08.06.2024 has requested to provide information as follows:
 - a) Kindly provide a certified copy of the complete note-sheet and correspondence sheet of the file through which the complaint of Mr. Surya Prakash Sharma, 68, Cotton Street, third floor, Kolkata 700007, has been processed, may kindly be made available.
 - b) Kindly provide the certified copy of the submissions made by Mr. Surya Prakash Sharma disclosing his manner of procurement of the confidential documents in possession of him as this is in violation of right to privacy which is inherently protected under article 21 and is a part of the freedom guaranteed by part III of the constitution.
- (3) The Appellant has submitted in the instant appeal that the response provided by the Respondent is incomplete as follows:
 - a) The certified copy of complete note sheet and correspondence sheet of the file not provided.
 - b) The manner of procurement through which Mr. Surya Prakash Sharma obtained my

confidential document in his possession as mentioned in the synopsis of my RTI application dated 08.06.2024 not provided.

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

“Reply to point no. a) above: The complaint has been processed and registered under the Company Secretaries Act, 1980 (the Act) and the Company Secretaries (Procedure of Investigations of Professional and other Misconduct and Conduct of Cases) Rules, 2007 (the Rules) and the relevant documents have already been provided as per the Rules.

Reply to point no. b) above: The copy of the complaint along with all the annexures has already been provided to the Respondent namely, Ms Anchal Beriwal vide letter dated 21st May, 2024. This query is not related to the Disciplinary Directorate. The appellant may address this query to Mr. Surya Prakash Sharma.

Therefore, the contents made in the RTI Reply stands as it is and the appeal deserves to be dismissed.

Prayed accordingly.”

(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.

The appeal is accordingly disposed of.

Sd/-

(Asit Kumar Rath)
First Appellate Authority

Copy to:

1. Ms. Anchal Beriwal
14/21/9, Sanatan Mistry Lane, 3rd Floor,
Howrah – 711106, West Bengal
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