

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 20.06.2025
(Ref.: RTI Application dated 28.04.2025, ICSI Letter No. dated 21.05.2025)

IN THE MATTER OF:

Mr. Yash Pal Ahuja
BH-366 (Poorvi)
Shalimar Bagh,
Delhi – 110 088
Mobile: 9810567267, 9868912158

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: 16th July, 2025

ORDER

- (1) The Appellant has filed first Appeal (Manual) dated 20.06.2025 received in the office of FAA on 26.06.2025 under Section 19(1) of the Right to Information Act, 2005 in connection with Response vide letter dated 21.05.2025 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 dated 28.04.2025 has requested to provide information as follows:

“Seeking information under Right to Information Act-2005 - Complaint of Professional or Other Misconduct filed by Shri Yash Pal Ahuja against Shri Prince Mohan Sinha, CS FCS-10689 (DC/1099/2024).

In view of the above, as per the RTI Act-2005, you are kindly requested to

1. Provide the "Status of my complaint regarding above mentioned subject, under RTI Act-2005.
 2. Provide the action taken report in respect of Shri Prince Mohan Sinha, CS FCS10689 (DC/1099/2024). Also provide copies of replies sent to me in this regard, if any.
 3. Provide copy of necessary documents in support of allegations made by CS on me.”
- (3) The Appellant has submitted in the instant appeal that the response provided by the

Respondent is incomplete and not addressing the specific question asked in RTI as follows:

“1. In RTI reply dated 21 May 25, it has been mentioned (in first para) that the complaint number DC/1099/24 is under investigation. It is requested to inform the prescribed time period for disposal of such complaint. Provide copy of specific Rule/Guideline (not the complete Act).

2. In RTI reply dated 21 May 25, it has been mentioned (in para 5) that information seeker was advised to provide additional documents.

It is stated that no such advise has been received by me. provide the copy of such advise, Provide date of such advise, Provide details of additional documents advised to submit, as mentioned in the RTI reply dated 21 May 25.

As requested in RTI application dated 28 Apr 25, the Action Taken Report against shri Prince Mohan Sinha, cs has not been provided, shri prince Mohan sinha, cs has in his letter dated 27 Dec 24, has shrugged off his responsibility saying that all the action including errors and discrepancies have been done in good faith. Besides, he has shown total unprofessionalism by giving his personal remarks on the information seeker saying that he is making complaint due to personal grudges.

In this regard, related papers requested in Para 3 (c) in RTI dated 28 Apr 25 may be provided (Also Refer to Para 2(c) of Rejoinder dated 27 Jan 25).”

3. 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:

“We reiterate our reply to the RTI query 6490 (Yash Pal Ahuja)”

Cases of professional or other misconduct against the members are dealt in accordance 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).

The Act and the Rules are in public domain and on the ICSI website under the link:

<https://www.icsi.edu/profile/company-secretaries-act1980-and-rules-regulation/>

The complaint number DC/1099/2024 is filed by the RTI information seeker himself and he being the Complainant in the matter, is already having the documents relating to the complaint.

The copy of the written Statement dated 27th December, 2024 submitted by the Respondent Shri Prince Mohan Sinha, was earlier provided to the information seeker under the Rules on which he has also filed the rejoinder. Further, the information seeker was advised to provide additional documents under the Rules within the prescribed time which he has not provided.

As requested by information seeker, the Communication sent to the Information seeker earlier in the DC/1099/2024 pursuant to sub-rule (5) of Rule 8 of the Rules for submission of additional documents is attached. **(Annexure-I)**

Further communication will be provided to the parties in accordance with the Act read with the Rules.

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

4. 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.

(Asit Kumar Rath)
First Appellate Authority

Copy to:

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3. Directorate of IT - For publishing on the website