

OFFICE OF THE FIRST APPELLATE AUTHORITY

(Appointed under Right to Information Act, 2005)

The Institute of Company Secretaries of India

ICSI House, C-36, Institutional Area, Sector-62

Noida – 201 309 (U.P.)

Appeal No. 3/2020

IN THE MATTER OF:

T V Sathyavathy
Incy Bincy - Vadassery
(PO) Mathil, Payyanur
Kannur
Kerala – 670 307

Appellant

Vs.

Central Public Information Officer
The Institute of Company Secretaries of India
'ICSI House'
22, Institutional Area, Lodi Road
New Delhi – 110 003

Respondent

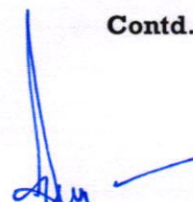
Date of Order : 3rd February, 2020

ORDER

1. The Appellant has filed first appeal on 9th January, 2020 (received in this Office on 16th January, 2020) under Section 19(1) of the Right to Information Act, 2005 against response issued vide letter Ref. No. RTI 2005/2935(19) dated 05.12.2019 by the Central Public Information Officer (CPIO) (hereinafter referred to as Respondent) of the Institute of Company Secretaries of India.
2. The Appellant vide her application dated 23.10.2019 had requested to provide the following information :
 - (a) Copy of the permission letter granted by ICSI to Ms. Bhavana Chakragiri Jagadeesh (M No. A23149) to become Director of the company Servitus Corporate Services Private Limited;
 - (b) Copy of the permission letter granted by ICSI, granting her permission to share the fees of professional practice with the company Servitus Corporate Services Private Limited; and
 - (c) Copy of the communication from the member as stated above, intimating the Institute regarding her becoming the Director of Servitus Corporate Services Private Limited.
3. The Respondent vide letter dated 05.12.2019 issued the response to the Appellant wherein it was informed as under :

"You have not mentioned the time period for which the information is sought. The query is not specific and therefore, the information sought can not be provided".

Contd..2...



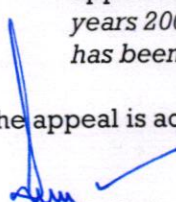
4. The Appellant has informed in the instant appeal that the Respondent has refused to furnish the information whereas the query is very specific as the permission is given by the Council of the ICSI for undertaking any activity other than Practising Company Secretary once and is not based on any period(s).
5. The Respondent has informed against the instant appeal as under :

"No such request for permission has been placed before the Council during the years 2009- till date.

It may be noted that the reply against the RTI application was sent on 05.12.2019 (delivered to RTI applicant on 11.12.2019) and the first appeal dated 09.01.2020 received in the Institute on 16.01.2020, therefore, without going into the merit of the appeal, it is observed that the appellant has preferred this first appeal after the prescribed period for preferring the appeal (i.e. 30 days from receipt of reply of RTI application) under Section 19(1) of the RTI Act, 2005. Therefore, the appeal deserves to be dismissed."

6. 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.
7. This Office notes that response has been issued by the Respondent against the instant appeal that *"No such request for permission has been placed before the Council during the years 2009- till date"*. Considering the response the information on the query of the Appellant has been issued.

The appeal is accordingly dismissed.


(Ankur Yadav)
First Appellate Authority

Copy to :

1. Ms. T V Sathyavathy
Incy Bincy - Vadassery
(PO) Mathil, Payyanur
Kannur
Kerala - 670 307
2. Mr. Surya Narayan Mishra
Central Public Information Officer
The Institute of Company Secretaries of India
ICSI House, 22, Institutional Area
Lodi Road
New Delhi - 110 003
3. Directorate of IT For publishing on the website