

**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, Institutional Area, Sector-62,**  
**Noida - 201 309 (U.P.)**

**Appeal No. 85/2021**

IN THE MATTER OF:

Sharad Kumar Jhunjhunwala  
A-11 Ashok Vihar,  
Ranchi- 834002  
Jharkhand

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: 16<sup>th</sup> December, 2021

**ORDER**

1. The Appellant has filed first appeal on 17.11.2021 under Section 19(1) of the Right to Information Act, 2005 in connection with response Ref. No. RTI 2005/5186(21) dated 15.11.2021 against the Central Public Information Officer (CPIO) (hereinafter referred to as Respondent) of the Institute of Company Secretaries of India.
2. The Appellant vide his application dated 25.10.2021 has requested to provide information through RTI.
3. The Appellant has informed in the instant appeals that "Information has been refused claiming exemption under Section 8(1)(h) of the RTI Act which exempts an information which would impede the process of investigation or apprehension or prosecution of offenders

It is humbly submitted that no reasons have been provided as to how providing such information would hamper the process of investigation and how exemption is applicable.

Nature of the information sought is purely administrative regarding date of sending of document and mode by which the complaint was sent to respondent. The above information has no relation with the process of investigation and it is humbly submitted that in no way can hamper the process of investigation.

In view of above submission please allow the appeal and furnish the information requested."

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

“The complaint No. DC/606/2021 under subject is under investigation in terms of section 21A of the Company Secretaries Act, 1980. Providing the information as sought by the Applicant would impede the investigation and hence, exempted under section 8(1)(h) of the RTI Act, 2005.

Providing the information sought by the Applicant may lead to derail the investigation process by misusing the same. This information, if provided, can also be misused on other platforms which will jeopardise the entire disciplinary mechanism process of the organization.

In view of the foregoing, the appeal deserves to be dismissed in-limine.”

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.
6. This Office concurs with the submission of the Respondent.

The appeal is accordingly disposed of.

Sd/-  
(Ankur Yadav)  
First Appellate Authority

Copy to :

1. Mr. Sharad Kumar Jhunjhunwala  
A-11 Ashok Vihar,  
Ranchi- 834002  
Jharkhand

2. Mrs. Sarah Arokiaswamy  
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