

**BEFORE THE APPELLATE AUTHORITY
(Under the Right to Information Act, 2005)
SECURITIES AND EXCHANGE BOARD OF INDIA**

Appeal No. 4992 of 2022

Ajitkumar A Singh	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated January 13, 2022 (received by SEBI on January 13, 2022) under the Right to Information Act, 2005 (“**RTI Act**”). Thereafter, the appellant filed an appeal dated April 04, 2022 (received by the Office of Appellate Authority on April 12, 2022).
2. I note that under Section 19(1) of the RTI Act, an aggrieved person may prefer the first appeal within thirty days from the receipt of the response from the CPIO of the concerned public authority. In the instant case, the impugned response from the respondent is dated January 03, 2022. The appellant, therefore, should have filed the first appeal on or before expiry of thirty days from the date of receipt of the said response. As noted above, the appellant’s first appeal was received on April 06, 2022. The first appeal has been made after the last date permissible under the RTI Act. The appellant neither made a request for condoning the said delay in filing the appeal nor made any submission explaining the reasons which caused the delay. Considering the absence of a request for condoning the delay and any valid reason that prevented the appellant from filing the appeal in time, I consider this appeal as time barred and hence, liable to be dismissed on that count.
3. Notwithstanding the above observation, I have considered the appeal on merit. I have perused the application, the response and the appeal and find that the matter can be decided based on the material available on record.
4. **Grounds of Appeal** – The appellant has filed the appeal on the ground of non-receipt of reply from the respondent. The appellant also submitted that multiple reminders were sent to the respondent.
5. From the available records, it is observed that a response was issued on January 25, 2022 through Registered Post, which is within the stipulated time as laid down in the RTI Act. A copy of the response dated January 25, 2022 is enclosed with this order.

6. I find that the respondent has provided his reply to the application within the time stipulated under RTI Act. I, therefore, find that nothing survives in the appeal and the same has become infructuous. It is, however, open for the appellant to file a fresh appeal as per law, if he is not satisfied with the reply provided by the respondent.
7. The appeal is accordingly disposed of.

Place: Mumbai

Date: May 10, 2022

ANAND BAIWAR

**APPELLATE AUTHORITY UNDER THE RTI ACT
SECURITIES AND EXCHANGE BOARD OF INDIA**