

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

Appeal No. 6244 of 2024

Ravinder Kumar	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated October 30, 2024 (received by SEBI on November 11, 2024) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated November 21, 2024, responded to the application filed by the appellant. The appellant filed an appeal dated November 28, 2024 (received by the Office of Appellate Authority on December 03, 2024). I have perused the application, the response of the respondent and the appeal and find that the matter can be decided based on the material available on record.

2. **Queries in the application-** The appellant, in his application dated October 30, 2024, sought following information:

“Kindly provide me declaration of assets of Ms. Madvi Puri Buch, Chairperson of Security and Exchange Board of India since 1st March, 2022 declared by her every year.

Kindly provide me declaration of assets of Ms. Madvi Puri Buch, whole time member of since 1st April, 2017 declared by her every year till March, 2020.”

3. **Reply of the Respondent** - The respondent, in response to the queries, informed that the information sought by the appellant does not pertain to him and the same relates to personal information, the disclosure of which has no relationship to any public activity or interest and may cause unwarranted invasion into the privacy of the individual and may also endanger the life or physical safety of the person(s). The respondent informed that same is, therefore, exempt in terms of Section 8(1)(g) and 8(1)(j) of the RTI Act.

4. **Ground of appeal-** On perusal of the appeal, it appears that the appellant is not satisfied with the response provided by the respondent.
5. I have perused the queries and the response provided thereto. I note that appellant in his appeal has enclosed a copy of decision of Hon'ble Central Information Commission in the matter of *Subhash Chandra Agarwal v Supreme Court of India* (Date of Decision: January 06, 2009) in support of his submission. In the decision cited by the appellant, I note that applicant in the case was not seeking the contents and details of personal assets and hence the facts and circumstance in the instant case is distinct from the aforementioned decision. I note that Hon'ble Supreme Court of India in its judgement *Central Public Information Officer, Supreme Court of India Vs. Subhash Chandra Agarwal* in Civil Appeal No. 10044 of 2010 with Civil Appeal No. 10045 of 2010 and Civil Appeal No. 2683 of 2010 (judgement dated November 13, 2019, while deciding the appeal filed in the same matter as cited by the appellant, has exemplified "personal information" envisaged under Section 8(1)(j) of RTI Act in the context of earlier ratios laid down by the same Court in other matter(s). The Hon'ble Supreme Court held that: "*59. Reading of the aforesaid judicial precedents, in our opinion, would indicate that personal records, including name, address, physical, mental and psychological status, marks obtained, grades and answer sheets, are all treated as personal information. Similarly, professional records, including qualification, performance, evaluation reports, ACRs, disciplinary proceedings, etc. are all personal information. Medical records, treatment, choice of medicine, list of hospitals and doctors visited, findings recorded, including that of the family members, information relating to assets, liabilities, income tax returns, details of investments, lending and borrowing, etc. are personal information. Such personal information is entitled to protection from unwarranted invasion of privacy and conditional access is available when stipulation of larger public interest is satisfied. This list is indicative and not exhaustive...*" On consideration, I concur with the response of the respondent that requested information pertains to personal information, the disclosure of which may cause unwarranted invasion into the privacy of the individual and may also endanger the life or physical safety of the person(s).
6. On perusal of the appeal, I note that the appellant in appeal has failed to establish as to how the disclosure of the information is justified by larger public interest. In this context, I note that the Hon'ble High Court of Delhi in the matter of *Municipal Corporation Delhi vs. Rajbir* W.P.(C) 13219/2009 and CM 14393/2009, decided on 24.8.2017 had held that:

"9..... Respondent has not provided any credible justification for seeking information regarding the personal assets of the MCD employee in question.

10. There can be no doubt that the information sought by respondent is personal information concerning an employee of MCD. Such information could be disclosed only if respondent could establish that disclosure of such information was justified by larger public interest.” Accordingly, I do not find any deficiency in the response of the respondent.

7. In view of the above observations, I find that there is no need to interfere with the decision of the respondent. The appeal is accordingly dismissed.

Place: Mumbai

Date: December 30, 2024

RUCHI CHOJER

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