

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

Appeal No. 5337 of 2022

Manish Goel	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated July 12, 2022 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated July 29, 2022 responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/22/00491) dated August 01, 2022. I have carefully considered the application, the response and the appeal and find that the matter can be decided based on the material available on record.
2. **Ground of appeal-** The appellant has filed the appeal on the ground that access to the requested information was refused. The appellant, in his appeal, stated that the respondent refused to provide information giving frivolous reasons. In view of the submission made by the appellant, I am dealing with the queries and the response provided thereto in the following paragraphs.
3. **Query numbers 1, 2 and 3-** The appellant, vide query numbers 1, 2 and 3, *inter alia*, sought information regarding complaints lodged at CVC website or sent to Chief Vigilance Officer, SEBI against SEBI officers.
4. The respondent, in response to the aforesaid queries, informed that the information sought is exempt under section 8(1)(g) and 8(1)(j) of the RTI Act as 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.
5. I have perused the queries and the response provided thereto. I note that the appellant has sought information pertaining to complaints lodged against SEBI Officers and vigilance/disciplinary proceedings initiated with respect to the same. In this context, I note that in the matter of *Girish Ramchandra Deshpande*

vs. Central Information Commissioner (judgement dated October 03, 2012), the Hon'ble Supreme Court held: “*13. We are in agreement with the CIC and the courts below that the details called for by the Petitioner i.e. copies of all memos issued to the third Respondent, show cause notices and orders of censure/punishment etc. are qualified to be personal information as defined in Clause (j) of Section 8(1) of the RTI Act. The performance of an employee/officer in an organization is primarily a matter between the employee and the employer and normally those aspects are governed by the service rules which fall under the expression "personal information", the disclosure of which has no relationship to any public activity or public interest. On the other hand, the disclosure of which would cause unwarranted invasion of privacy of that individual. Of course, in a given case, if the Central Public Information Officer or the State Public Information Officer of the Appellate Authority is satisfied that the larger public interest justifies the disclosure of such information, appropriate orders could be passed but the Petitioner cannot claim those details as a matter of right.*” The said judgement was relied upon by the Hon'ble Delhi High Court in the matter of *Union Public Service Commission vs. R. K. Jain* (order dated November 6, 2012) wherein it was observed that : “*The ratio of the dicta aforesaid of the Supreme Court is that the disciplinary orders and the documents in the course of disciplinary proceedings are personal information within the meaning of Section 8(1)(j) and the disclosure of which normally has no relationship to any public activities or public interest and disclosure of which would cause unwarranted invasion of the privacy of an individual.*” In view of the said judgements, I agree with the response of the respondent that the requested information is exempt from disclosure under sections 8(1)(g) and 8(1)(j) of the RTI Act. Further, the appellant has not established existence of larger public interest in seeking the information. Accordingly, I do not find any deficiency in the response.

6. **Query numbers 4 and 5-** The appellant, vide query number 4, *inter alia*, sought procedure/policy of handling complaints pertaining to corruption received at SEBI. Vide query number 5, the appellant sought information regarding where one should send his complaint regarding corruption.
7. The respondent, in response to the query number 4, informed that the CVC Vigilance Manual and various CVC circulars lay down compliant handling policy. The respondent also informed that the Vigilance Manual and CVC circulars are available in public domain on CVC website. With respect to query number 5, the respondent provided the link to access the relevant details available on the SEBI website.
8. I have perused the queries and the response provided thereto. On consideration, I find that the respondent has adequately addressed the queries by providing the information available with him. Accordingly, no further intervention is warranted at this stage.

9. 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: August 29, 2022

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