

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

Appeal No. 5976 of 2024

Chandra Shekhar Singh	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated February 24, 2024 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated March 14, 2024 responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/24/00071) dated April 07, 2024. 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. **Requests in the application** –The appellant, vide his application dated February 24, 2024, sought the following information pertaining to transfer policy of SEBI employees.
3. **Reply of the Respondent** - The respondent, in response to the application, informed that the information sought pertains to the internal functioning of Securities and Exchange Board of India (hereinafter referred to as “**SEBI**”) and disclosure of which may hamper the decision making by SEBI in its supervisory and regulatory role. In view of the same, the information sought is exempt u/s 8(1)(a) of the RTI Act.
4. **Ground of appeal** - The respondent has filed the appeal on the ground that he has been refused access to information requested.
5. I have perused the aforesaid request and the response provided thereto. I note that the appellant vide the aforesaid request has, *inter alia*, sought information pertaining to the transfer policy of SEBI employees. In this regard, I note that the respondent has informed the appellant that the information sought pertains to the internal functioning of SEBI and disclosure of which may hamper the decision making by SEBI in

its supervisory and regulatory role and hence, is exempt from disclosure under section 8(1)(a) of the RTI Act. On consideration, I find that the response provided by the respondent does not justify the denial of the requested information on the ground that the same pertains to the internal functioning of SEBI and disclosure of the information may hamper the decision making by SEBI in its supervisory and regulatory role. In my view, the respondent was obliged to ascertain availability of the requested information with SEBI and whether the same may be provided to the appellant in accordance with the provisions of the RTI Act. On consideration, I find that the aforesaid request has not been adequately addressed. Accordingly, it would be appropriate to remit the application for reconsideration.

6. Considering the above observations, I remit the application to the respondent for *de novo* consideration of the application and sending appropriate response to the appellant in terms of RTI Act, within 15 working days from the date of receipt of this order.
7. The Appeal is accordingly disposed of.

Place: Mumbai
Date: April 24, 2024

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