

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

Appeal No. 1899 of 2014

Rakesh Kumar Mishra	:	Appellant
	Vs.	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant has filed this appeal dated March 29, 2014 (received at SEBI on April 7, 2014), under the Right to Information Act, 2005 (hereinafter referred to as “**RTI Act**”). Through the same, the appellant has submitted that he is yet to receive a response/reply from the respondent to his application dated September 11, 2013, as made under that Act.
2. I note that as per Section 7(1) of the RTI Act, where the respondent receives a request for obtaining information as made by an applicant under Section 6 of that Act, he shall, as expeditiously as possible, and in any case within thirty days of the receipt of such request, either provide the information on payment of such fee as may be prescribed or reject the request for any of the reasons specified in Sections 8 and 9 of that Act.
3. From the records made available to me, I find that the appellant’s abovementioned application dated September 11, 2013, was received at SEBI on September 19, 2013. Upon a consideration of the aforementioned in light of para 2 above, I find that the respondent was required to provide his response to the appellant's application on or before October 19, 2013 i.e. within thirty days of receipt of the application (or request for obtaining information). In this context and from the records made available to me, I find that the respondent had replied to the appellant's application vide his letter dated October 7, 2013, which was dispatched by Registered Post AD; however, in the aforesaid reply the appellant's application was inadvertently referred to as RTI application dated September 2, 2013, instead of RTI application September 11, 2013. A copy of the respondent's reply is enclosed with this order for ready reference of the appellant.

4. In view of the factual situation, I find that the respondent had provided his reply to the appellant's application well within the time stipulated under the RTI Act. I, therefore, find that nothing survives in this appeal and the same has become infructuous. It is, however, open to the appellant to file a fresh appeal, as per law, if he is not satisfied with the reply provided by the respondent.
5. The appeal is accordingly disposed of.

Place: Mumbai

Date: May 6, 2014

S. RAMAN

APPELLATE AUTHORITY

SECURITIES AND EXCHANGE BOARD OF INDIA