

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

Appeal No. 5898 of 2024

Gaurav : Appellant

Vs

CPIO, SEBI, Mumbai : Respondent

ORDER

1. The appellant had filed an application dated January 02, 2024 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated January 11, 2024 responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/24/00009) dated January 25, 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 made in the application** –The appellant, vide his application dated January 02, 2024 sought the following information:

“Please provide salary /pay entitlement of each grade of SEBI employees i.e. Assistant Manager, Manager, Assistant General Manager, Deputy General Manager, General Manager, Chief General Manager & Executive Director in complete break up as per the following components.

BASIC PAY, DEARNESS ALLOWANCE, SPECIAL ALLOWANCE, SPECIAL PAY, FAMILY ALLOWANCE, CITY COMPENSATORY ALLOWANCE, LOCAL ALLOWANCE, LEARNING ALLOWANCE, PFA, GRADE ALLOWANCE, SPECIAL COMPENSATORY ALLOWANCE, Leave Fare Concession, Medical Expenses, Eye Refraction, Education Allowance, Financial Dailies, Book Grant, Briefcase Conveyance Expenses, House Cleaning Allowance, Staff Furnishing Scheme, Subsidized Lunch Facility, LEASE ACCOMODATION AMOUNT, ANY OTHER BENEFIT/PERK/ALLOWANCE (S) IN MONETARY TERM”

3. **Reply of the Respondent** - The respondent in response to the request informed that the information sought regarding breakup of all components of salary/pay entitlement of each grade of SEBI employees

is strictly meant for employees of SEBI only and it is strategic in nature, hence information sought is exempt u/s 8(1)(a) of RTI Act, 2005. However, the respondent informed that the details of pay scales in SEBI and details of pay and allowances under the head basic pay, dearness allowance and other allowances in total received by SEBI officials for the month of September 2022 is disclosed on the SEBI website. The respondent provided the link to access the said information.

4. **Ground of appeal-** The appellant has filed the appeal on the ground that he has been refused access to information requested.
5. I have perused the application and the response provided thereto. I note that the appellant has sought information regarding salary/pay entitlement of each grade of SEBI employees. I note that the respondent has informed the appellant that the details regarding pay scales and allowances are available on SEBI website. However, w.r.t. information sought by the appellant regarding the breakup of all components of salary/pay entitlement of each grade of employees, the respondent has informed that the same is strictly meant for employees of SEBI and it is strategic in nature and hence, the said information is exempt u/s 8(1)(a) of RTI Act, 2005. On consideration, I do not find any reason to disbelieve the response of the respondent that the requested information is strategic in nature and that the same is only meant for the employees of SEBI. In view of the same, the requested information will fall within the exemption offered under section 8(1)(a) of the RTI Act. Further, I note that in the matter of *Dr. Dheeraj Kapoor vs. Directorate of Health Services GNCTD, Delhi* (Decision dated October 31, 2014), Hon'ble Central Information Commission (hereinafter referred to as "**CIC**") observed that "*All that information about salary, such as DA, HRA, pension etc of public servants as available in public domain shall be available to seekers under RTI Act also. The information about salary which is not part of 'scale', is not public information.*"
6. 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: February 7, 2024

B RAJENDRAN

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