

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

Appeal No. 5203 of 2022

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

ORDER

1. The appellant had filed an application dated June 23, 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 12, 2022, responded to the application filed by the appellant. The appellant filed an appeal dated July 14, 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. **Queries in the application** –The appellant, vide his application dated June 23, 2022, sought the following information regarding inspection conducted by SEBI with respect to the appellant’s Research Analyst Activities:
 1. *Copy of complete filed available with SEBI NRO related to my above matter.*
 2. *Copy of documents relied upon and not relied upon while making allegations on me on June 14, 2022 letter.*
 3. *Communication done by SEBI head office with SEBI NRO regarding above matter.*
3. The respondent, in response to the aforesaid queries, informed that the requested information is exempt from disclosure under section 8(1)(h) of the RTI Act as the matter is under examination and has not reached a logical conclusion. The respondent also informed that disclosure of details related to the matter may impede the ongoing process.
4. **Ground of appeal-** The appellant has filed the appeal on the ground that the access to the requested information was refused. The appellant, in his appeal, *inter alia*, submitted that nothing should be used against the person which has not been brought to his notice.

5. I have perused the queries and the response provided by the respondent. On consideration, I am of the opinion that the respondent has not demonstrated how the disclosure of the requested information would impede the ongoing process in terms of section 8(h) of the RTI Act. Accordingly, I find that the queries have not been adequately addressed and the same warrant reconsideration by the respondent.
6. In view of the above observations, I remit the matter to the respondent for *de novo* consideration of the application dated June 23, 2022 and to send 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: August 11, 2022

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