

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

Appeal No. 4893 of 2022

Appeal No. 4894 of 2022

Amit Gupta	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed two applications dated February 02, 2022 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a common letter dated March 03, 2022, responded to the application filed by the appellant. The appellant filed two appeals dated March 30, 2022 (Appeal Nos. SEBIH/A/E/22/00191 and SEBIH/A/E/22/00193 against the said response dated March 03, 2022). I have carefully considered the applications, the response and the appeals and find that the matter can be decided based on the material available on record.
2. **Queries in the application** –The appellant, vide one application dated February 02, 2022, *inter alia*, sought details regarding month wise total IAP sessions conducted by the Securities Market Trainers (both individual and corporate category) during the period November 01, 2020 to January 31, 2022. The appellant also sought information regarding month wise total claim reimbursement raised, settled and rejected for the IAP sessions conducted by the Securities Market Trainers during the said period.
3. The appellant, vide another application dated February 02, 2022, *inter alia*, sought the claim reimbursement status (Individual Trainer/Corporate Entity Name, month, session conducted in a particular month, claimed amount, settled amount, rejected (with rejection reason) and pending) of SEBI Empanelled all SMARTs (both individual and corporate category) month-wise during the period November 01, 2020 to January 31, 2022.
4. The respondent, in response to the aforesaid applications, informed that the requested information is exempt from disclosure under Section 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.

5. **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, *inter alia*, submitted that the requested information has no relation with personal information and that there is no reason for denial or exemption of the information.
6. I have perused the queries raised in the applications and the response provided I note that the respondent had invoked the provisions of section 8(1)(j) of the RTI Act to deny information to the appellant. In this context, reference is made to the judgment of the Hon'ble Supreme Court of India in the matter of *Central Public Information Officer, Supreme Court of India Vs. Subhash Chandra Agarwal* in Civil Appeal No. 10044 of 2010 with Civil Appeal No. 10045 of 2010 and Civil Appeal No. 2683 of 2010 wherein the import of "personal information" envisaged under Section 8(1)(j) of RTI Act has been exemplified in the context of earlier ratios laid down by the same Court in other matter(s). The Hon'ble Supreme Court held that *"59. Reading of the aforesaid judicial precedents, in our opinion, would indicate that personal records, including name, address, physical, mental and psychological status, marks obtained, grades and answer sheets, are all treated as personal information. Similarly, professional records, including qualification, performance, evaluation reports, ACRs, disciplinary proceedings, etc. are all personal information. Medical records, treatment, choice of medicine, list of hospitals and doctors visited, findings recorded, including that of the family members, information relating to assets, liabilities, income tax returns, details of investments, lending and borrowing, etc. are personal information. Such personal information is entitled to protection from unwarranted invasion of privacy and conditional access is available when stipulation of larger public interest is satisfied. This list is indicative and not exhaustive..."* In view of the same, I agree with the respondent's response. Accordingly, I do not find any deficiency in the response.
7. In view of the above observations, I find that there is no need to interfere with the decision of the respondent. The Appeals are accordingly dismissed.

Place: Mumbai
Date: April 28, 2022

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