

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

Appeal No. 5439 of 2022

Manish Goel : Appellant

Vs

CPIO, SEBI, Mumbai : Respondent

ORDER

1. The appellant had filed an application dated August 30, 2022 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated September 22, 2022, responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/22/00603) dated September 23, 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. **Ground of appeal-** The appellant has filed the appeal on the ground that access to the requested information was refused. The appellant also submitted that the respondent gave frivolous reasons and refused to provide information. In view of the submissions made by the appellant in his appeal, I am dealing with the queries and the response provided thereto, in the following paragraphs.
3. **Query numbers 1, 2 and 3-** The appellant, vide query numbers 1, 2 and 3, *inter alia*, sought CCTV footages of reception desk/ post man counter in SEBI NRO office.
4. The respondent, in response to the aforesaid queries, informed that the CCTV has been installed for the safety of the SEBI premises and its Staff. The respondent also informed that sharing of any CCTV recordings will lead to creation of security hazards for all the staff working at/ visitors coming to SEBI NRO premises and cause invasion of privacy. Further, the requested information is exempt from disclosure in terms of Section 8(1)(g) and 8(1)(j) of the RTI Act as he 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 individuals. The disclosure may also endanger the life or physical safety of the person.
5. I have perused the queries and the response provided thereto. On consideration, I agree with the response of the respondent that CCTV has been installed for the safety of SEBI promises and its staff. Sharing the same may also cause invasion of privacy and disclose personal information related to employees and Staff. I also

note that the appellant has not specified whether the requested information pertains to him or not. I find that the requested information is exempt from disclosure under section 8(1)(g) and 8(1)(j) of the RTI Act. In this context, I note that the Hon'ble CIC, in the matter of *Reena Richard v. State Bank of India, Mumbai* (Order dated November 28, 2014), observed that *"The respondents submitted that the appellant had not specified as to how she was connected to the information sought because the Branch could not locate any transaction done by the applicant on that branch on these days. They (sic) also submitted that the CCTV footage contained images of other customers doing their transactions and disclosure of that would result in unwarranted invasion of the privacy of third parties. They also added CCTV cameras had been installed at branches as a security measure and the disclosure of the information sought may result in the Bank getting exposed to the security risks."* Further, the Hon'ble CIC, in the matter of *Md. Shakeel Ahmad vs. CPIO, Archaeological Survey of India* (order dated August 30, 2016), *inter alia*, observed that the Commission has not been in favour of unconditional provision of footage of CCTV cameras to RTI applicants as it could endanger the security of the premises, where those cameras are installed. In view of these observations, I do not find any deficiency in the response.

6. **Query numbers 4, 6 and 7-** The appellant, vide query number 4, sought the name and mobile number of concerned person in SEBI NRO who gives daily post/articles. Vide query numbers 6, the appellant sought the time till which certain officers were in office on April 1, 2022. Vide query number 7, the appellant sought copy of register on 1.4.2022 which registers incoming and outgoing time of SEBI employees in SEBI BRO.
7. The respondent, in response to the aforesaid queries, informed that the information sought is exempt from disclosure under section 8(1)(g) and 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 individuals and may also endanger the life or physical safety of the person.
8. I have perused the queries and the response provided thereto. I note that the appellant has sought information regarding attendance of officers/persons working in SEBI NRO. In this regard, I note that the Hon'ble CIC, in the matter of *Shri Amarendra Chaudhary vs. UIDA* (order dated October 31, 2020), held that *"In the context of denial of information relating to attendance record as per Section 8 (1)(j) of the RTI Act, 2005, the Commission refers to a recent decision of the Hon'ble High Court of Delhi in R.S. Gupta vs Govt of GNCTD and Ors., LPA 207/2020 dated 31.08.2020, the relevant extract of which is as under: "10... Further, the appellant is seeking attendance record of the other staff members of the Geeta Senior Secondary School No. 2, Sultanpuri, Delhi. Since the information requested relates to attendance record, it would entail revealing medical and personal information of an individual. The attendance record is part of service record which is a matter between the employee and the employer and ordinarily these aspects are governed by the service rules which fall under the expression "personal information". The disclosure of this information*

ex-facie has no relationship to any public activity or public interest and pertinently, the appellant is not able to explain or show any nexus between the personal information sought and the public interest involved, for seeking its disclosure. Thus, in our view, in absence of even a remote connection with any larger public interest, disclosure of information would be exempted as the same would cause unwarranted invasion of the privacy of the individual under section 8(1)(j) of the RTI Act. Petitioner has thus failed to establish that the information sought for is for any public interest, much less 'larger public interest'. Therefore, we are not inclined to entertain this appeal." In view of these observations, I agree with the response of the respondent that the requested information is exempt from disclosure under section 8(1)(g) and 8(1)(j) of the RTI Act. Accordingly, I do not find any deficiency in the response.

9. **Query numbers 5, 8 and 9-** The appellant, vide query number 5, sought the time till when the SEBI NRO office was open on April 1, 2022. The appellant, vide query number 8, sought the time when the postman picked post/articles on April 1, 2022. Vide query number 9, the appellant sought the official opening and closing time of SEBI NRO.
10. The respondent, in response to the query numbers 5 and 9, informed the time when the officers/ Staff members may opt to reach office and the time when they may opt to leave office during Monday to Friday. The respondent, in response to query number 8, informed that the information sought is not available with SEBI. However, it was informed that all the correspondence of SEBI-NRO, Delhi to be sent through India post are collected by the India Post person from Kashmiri Gate post office, once in a day, as per his work schedule.
11. I have perused the queries and I find that the respondent has adequately addressed the queries by providing the information available with him. Accordingly, I do not find any deficiency in the response.
12. 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: October 20, 2022

ANAND BAIWAR

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