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

Appeal No. 6017 of 2024

	:	Appellant
Harish Kumar Kankaria		
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated May 03, 2024 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005("**RTI Act**"). The respondent, by a letter dated May 27, 2024 responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/24/00105) dated May 28, 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. **Request in the application** - The appellant, vide his application dated May 03, 2024, sought the following information:

"I, Harish Kumar Kankaria s/o Late Manohar Raj Kankaria, a citizen of India, am applying for Information u/s 6(1) of the Right to Information Act, 2005. The requested information is regarding the Registration Certificate of Aashish and Co. at the Cochin Stock Exchange in the year 1992 from SEBI.

- Provide certified copies of Registration Certificate of Aashish and Co. at the Cochin Stock Exchange in the year 1992 from SEBI.

Code given in the ID card by COCHIN STOCK EXCHANGE is: 09/0199-7…"

3. **Reply of the respondent** - The respondent, in response to the aforesaid request informed that the information sought does not pertain to the appellant and the same relates to personal information, the disclosure of which has no relationship to any public activity or interest and may cause unwarranted invasion in to the privacy of the individual and may also endanger the life or physical safety of the person(s). the same is, therefore, exempt in terms of section 8(1)(g) and 8(1)(j) of the RTI Act, 2005.

Further, the respondent informed that appellant to refer to SEBI Website for information regarding SEBI registered entities. The respondent provided the relevant path to access the same on the website.

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 aforesaid requests and the response provided thereto. On consideration, I concur with respondent that the request is exempt from disclosure under section 8(1)(j) of the RTI Act. I do not find any reason to disbelieve the observation of the respondent that the requested information pertains to personal information of third party. 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 (judgement dated November 13, 2019) wherein "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..."* Further, I note that the appellant, in his application and appeal has not provided any supporting documents indicating his connection with Aashish and Co. Accordingly, I do not find any deficiency in the response of the respondent.

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: June 6, 2024

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