

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

Appeal No. 5405 of 2022

Sunil Yadav	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated August 03, 2022 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated August 18, 2022, responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/22/00565) dated September 02, 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 August 03, 2022, sought the following information:

“What is the SOC (Security Operation Center) compliance as per SEBI (Securities and Exchange Board of India) mandate or requirement? pls, give the list of the same.”
3. The respondent, in response to the query, provided the link for accessing the SEBI circular dealing with SOC related mandate given by SEBI. The respondent also provided the details of the relevant section and page number for reference.
4. **Ground of appeal-** The appellant has not mentioned any specific ground for filing the appeal. The appellant, in his appeal, *inter alia*, reiterated the queries raised in his application. The appellant, in his appeal, requested to provide the SOC compliance list in the same order as per the RBI SOC compliance document.
5. I have perused the query and the response provided thereto. On consideration, I find that the query is more in the nature of seeking clarification/opinion from the respondent. I note that answer to the query can be found out by the appellant by accessing the information, which is available in the public domain.

Further, if the relevant information is available in the public domain, the same cannot be said to be information held by the public authority and consequently there is no obligation to provide such information to an applicant under the RTI Act. In view of these observations, I find that the respondent cannot be obliged to research and deduce anything from the information which is already available in the public domain and then provide the same to the appellant. Notwithstanding the same, I note that the respondent has appropriately guided the appellant to refer to the relevant Circular available on the SEBI website.

6. Further, I note that the appellant, in his appeal, requested to provide the SOC compliance list in the same order as per the RBI SOC compliance document. In this regard, I note that the Hon'ble CIC, in the matter of *Naresh Kadyan vs. PIO, Under Secretary & CPIO- (SC-I), Ministry of Housing & Urban Affairs and Ors.* (order dated September 06, 2022), observed that “*under the RTI Act the CPIO can only provide certain action or initiate action as desired by him.*” In my opinion, the said request does not warrant consideration at this stage.
7. 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 03, 2022

ANAND BAIWAR

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