

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

Appeal No. 6299 of 2025

:

Appellant

Geeta Khattar

Vs

CPIO, SEBI, Mumbai

:

Respondent

ORDER

1. The appellant had filed an application dated December 30, 2024 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated January 09, 2025, responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/25/00017) dated January 16, 2025. 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, in her application dated December 30, 2024, sought the following information:

“.... I bought shares on 25/07/2024 which I wanted to sell in the next trading day i.e. on 26/07/2024. Before to provide information, please go through Section no. 7 in the guide issued under the RTI Act, 2005.

Query no. 1. Under which Securities law/s or information etc. issued by the regulator/s, the investors can sell the shares on the next trading day which shares bought on the previous trading day.

Query no. 2. Under which Securities laws, etc., Stockbrokers can restrict the investors to sell the shares on the next trading day which shares bought by the investors on the previous trading day.

Query no. 3. Provide information about the number of total Securities laws, etc. have been issued by SEBI since the year 1992.”

3. **Reply of the Respondent** - The respondent, in response to query nos. 1 and 2 in the application, informed that the appellant's queries are vague and not specific. Accordingly, the same cannot be construed as "information", as defined u/s 2(f) of the RTI Act. The respondent, in response to query no. 3, informed that appellant may refer to SEBI's website under the head "Legal" for Acts, Rules, Regulations, Notifications, Guidelines and Circulars for the requested information.
4. **Ground of appeal** – The appellant has filed the appeal on the ground that she was provided incomplete, misleading or false information.
5. I have perused the application and the response provided thereto. With respect to query nos.1 and 2, I agree with the response of the respondent that the queries are vague and not specific. It is an established law that the information sought for in order to be disclosable under the RTI Act, must be clear, specific and available in the records of the public authority. In this context, I note that in the matter of *Mr. T. V. Sundaresan vs. CPIO, Securities and Exchange Board of India* (Decision dated November 24, 2021), the Hon'ble Central Information Commission (hereinafter referred to as "**CIC**") held: *"The framework of the RTI Act, 2005 expects that the information sought is specific and believed to be existing with the public authority in documented or material form as such; which can be shared with the appellant as per the provisions of the RTI Act. Answering to broad, multiple and general queries and presumptive documents that should have been generated as per the expectation of the appellant cannot be furnished under the provisions of the Act."* In view of these observations, I find that aforesaid queries cannot be construed as seeking "information", as defined under section 2(f) of the RTI Act. Accordingly, I do not find any deficiency in the response of the respondent.
6. Further, with respect to query no.3, I find that the respondent has informed that the Acts, Rules, Regulations, Notifications, Guidelines and Circulars issued by SEBI are publicly available on the website of SEBI. In this context, I note that Hon'ble Central Information Commission in *Shri K Lall vs. Shri M K Bagri* (CIC/AT/A/2007/00112, order dated April 12, 2007) held that *"..... unless an information is exclusively held and controlled by a public authority, that information cannot be said to be an information accessible under the RTI Act. Inferentially it would mean that once a certain information is placed in the public domain accessible to the citizens either freely, or on payment of a pre-determined price, that information cannot be said to be 'held' or 'under the control of' the public authority and, thus would cease to be an information accessible under the RTI Act."* Notwithstanding the above, I note that the respondent has appropriately guided the appellant and provided the path for accessing the information sought on SEBI website. Accordingly, I do not find any deficiency in the response of the respondent.

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: February 13, 2025

RUCHI CHOJER

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