

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

**Appeal No. 6126 of 2024**

|                    |    |            |
|--------------------|----|------------|
| Ashish             | :  | Appellant  |
|                    | Vs |            |
| CPIO, SEBI, Mumbai | :  | Respondent |

**ORDER**

1. The appellant had filed an application dated August 04, 2024 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 ("**RTI Act**"). The respondent, by a letter dated August 16, 2024 responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/24/00187) dated August 24, 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. **Ground of appeal** – The appellant has filed the appeal on the ground that information provided to his is incomplete, misleading and false information. The appellant, in his appeal, has raised dissatisfaction only with respect to the reply to request no. 2 of his application.
3. **Request no. 2 of the application** - The appellant, vide his request no. 2 of the application dated August 04, 2024 sought the following information:  
  
*"I want to know the following details of the Sebi Employee, namely:-*  
*1. ...*  
*2. Utkarsh Rathore ( staff code 2474, date of joining - Aug 02, 2021, Department - EFD-2, Post - Assistant manager). His monthly salary since his date of joining until now, Total cost incurred upon him annually by the SEBI from the date of his joining, Total remuneration/ salary/ compensation received/ granted to him including all kind of allowances, tds, benefits, etc, every kind of perks and cost incurred upon him annually from the date of his joining.*
4. **Reply of the Respondent** - The respondent, in response to request no. 2, informed that details of monthly remuneration of SEBI Officials is disclosed on the SEBI website under the disclosures u/s 4(1)(b) of the RTI Act, 2005. The respondent also provided the relevant link to access the same.

5. I have perused the aforesaid request and the response provided thereto. I note that the respondent informed the appellant that details of monthly remuneration of SEBI Officials is disclosed on the SEBI website under the disclosures u/s 4(1)(b) of the RTI Act, 2005. The respondent has also provided the relevant link to access the same. I find that the information regarding salary of employees which is disclosable under RTI Act has already been placed in public domain on SEBI website. In this regard, I note that the Hon'ble Delhi High Court, in *Registrar of Companies & Ors. Vs. Dharmendra Kumar Garg & Ors.* [Judgment dated June 01, 2012 in W.P.(C) 11271/2009], observed that *"... This should mean 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."* Accordingly, I do not find any deficiency in the response.
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: September 20, 2024

**RUCHI CHOJER**

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