

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

Appeal No. 5473 of 2022

Ramani Ratnakar Shenoy	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated September 29, 2022 (received by SEBI on September 29, 2022) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated October 17, 2022, responded to the application filed by the appellant. The appellant filed an appeal dated October 31, 2022 (received by the Office of Appellate Authority on October 31, 2022). I have perused the application, the response of the respondent 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 September 29, 2022, *inter alia*, sought the copy of the SEBI Settlement Scheme, 2022 along with any other information or document(s) related to the said Scheme.
3. The respondent, in response to the aforesaid queries, informed that the copy of SEBI settlement scheme 2022 and other information or documents such as FAQs are available on the SEBI website. The appellant also provided the links for accessing the same.
4. **Ground of appeal-** On perusal of the appeal, it appears that the appellant is not satisfied with the response provided by the respondent. The appellant, in her appeal, *inter alia*, submitted that the link provided by the respondent does not exist and that the said link showed that “page does not exist”. The appellant also submitted that the respondent has not provided any reason for not giving any copy of the SEBI Settlement Scheme, 2022.
5. I have perused the queries and the response provided thereto. On consideration, I find that SEBI Settlement Scheme, 2022 is made available on the SEBI website and the same can be accessed by the appellant. In this context, the Hon’ble Delhi High Court in *Registrar of Companies & Ors. Vs.*

Dharmendra Kumar Garg & Anr. (order dated June 01, 2012), held- “10. It is significant that the direction regarding dissemination of information through free or priced documents, or free or priced access to information stored on internet, electronic means, or held manually; free or on payment of predetermined cost for inspection of such documents or records held by public authorities, appear in a chapter on "obligations of public authorities". The inference from these sections is a) it is the obligation of the public authorities to voluntarily disseminate information so that "the public have minimum resort to the use of this Act to obtain information", b) once an information is voluntarily disseminated it is excluded from the purview of the RTI Act and, to that extent, contributes to minimizing the resort to the use of this Act, c) there is no obligation cast on the public authority to disseminate all such information free of cost. The Act authorizes the public authorities to disclose such information suo-motu "at such cost of a medium or the print cost price as may be prescribed", d) the RTI Act authorizes the public authority to price access to the information which it places in the public domain suo-motu.” The said judgement of the H Delhi High Court was also relied upon by the Hon’ble CIC in the matter of *Samir Sardana vs. CPIO* (order dated September 01, 2020) while disposing of the appeal dealing with information already available in the public domain. In view of these observations, I find that the respondent cannot be obliged to research information which is already available in the public domain and then provide the same to the appellant.

6. Notwithstanding the same, I find that the respondent has adequately guided the appellant to access the requested information on the SEBI website. I also note that the appellant, in her appeal, submitted that the link is not working. The appellant also mentioned that “A copy of the screenshot of the page opened via link is enclosed herewith and marked as Annexure –B.” I find that neither Annexure-A nor Annexure –B, as referred by the appellant in her appeal, has been enclosed along with the appeal. Further, with respect to the submission of the appellant regarding web link not working, I find that both the links provided by the respondent are active and accessible. Accordingly, I do not find any merit in the submission made by the appellant.
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: November 30, 2022

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