

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

Appeal No. 6223 of 2024

Mehmood Mehboob : Appellant
Shaikh

Vs

CPIO, SEBI, Mumbai : Respondent

ORDER

1. The appellant had filed an application dated September 17, 2024 (received by SEBI on September 21, 2024) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated October 14, 2024, responded to the application filed by the appellant. The appellant filed an appeal dated November 05, 2024 (received by the Office of Appellate Authority on November 07, 2024). 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. **Request in the application-** The appellant, in his application dated September 17, 2024, *inter alia*, sought the information regarding:

“Xerox copies of show cause notice and punishment orders to Mr. Anil Ambani & other regarding irregularities and misuse of funds in Reliance Home Finance. (NSE RHFL Capital) (BSE Code 540709)”

3. **Reply of the Respondent** - The respondent, in response to the request in the application, informed that Show Cause Notices (**SCNs**) contain information which are private and confidential, which when disclosed may harm the competitive position of the parties. The respondent also informed that SCNs also contains information furnished by the listed company, banks and other entities to the regulator in fiduciary capacity to aid in the SEBI's investigation. In view of the above, the respondent informed that information sought by the appellant is exempted u/s 8(1)(d) & 8(1) (e) of RTI Act. Notwithstanding the aforesaid, the respondent informed that SEBI has issued order dated August 22, 2024, in the matter of Reliance Home Finance Limited. (**RHFL**) and provided the link 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.
5. I have perused the application and the response provided thereto. On consideration, I note that respondent has denied the information sought with respect to show cause notice issued in the matter of RHFL under Section 8(1)(d) and section 8(1)(e) of the RTI Act. However, I note that interim order cum show cause notice dated February 11, 2022, passed in the matter is available on the SEBI website. Further, with respect to punishment order sought by the appellant, I note that the respondent had provided the link for accessing order dated August 22, 2024 passed in the matter of Reliance Home Finance Limited. I also note that the said Order is available on SEBI website. In light of the aforesaid, I find that the information sought by the appellant is available in public domain. In this context, the Hon'ble Delhi High Court, in the matter of *Registrar of Companies & Ors. Vs. Dharmendra Kumar Garg & Anr.* and the Hon'ble Central Information Commission (hereinafter referred to as "**CIC**") in the matter of *Shri K Lall vs. Shri M K Bagri* (CIC/AT/A/2007/00112, order dated April 12, 2007), *inter alia*, observed that 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.
6. In view of the above, I find that no further intervention of this forum is warranted at this stage. The appeal is accordingly dismissed.

Place: Mumbai

RUCHI CHOJER

Date: December 05, 2024

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