

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

**Appeal No. 6591 of 2025**

Padamkumar Jain : Appellant  
Vs

CPIO, SEBI, Mumbai : Respondent

**ORDER**

1. The appellant had filed an application dated September 09, 2025 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated September 19, 2025, responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/25/00274) dated October 11, 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 his application dated September 09, 2025, sought the following information:

*“Information sought under RTI Act 2005 Reference: Robin Joseph Baby (Adhaar No: XXXXXXXXXX, PAN: XXXXXXXX) Please provide the Xerox copies of following information sought:*

*1.Designation of Robin Joseph Baby (Adhaar No: XXXXXXXXXX, PAN: XXXXXXXXX).*

*2.List of Asset details given to department by Robin Joseph for the last 15 years.*

*3.List of declared assets by Robin Joseph baby.*

*I am ready to pay the necessary charges if any.”*

3. **Reply of the Respondent** –The respondent, in response to query no.1, informed that the information is available on SEBI website and provided the link for accessing the same.

The respondent, in response to query nos. 2-3 in the application, informed that the information sought is available to SEBI in fiduciary capacity and hence, the same is exempt u/s 8(1)(e) of RTI Act.

4. **Ground of appeal** – The appellant has filed the appeal on the ground that he was refused access to the information requested.
5. I have perused the application and the response provided thereto. With respect to query no.1, I note that the respondent has informed the appellant that the information sought is available on SEBI website and has also provided the relevant link to access the same on the website. On consideration, I find that the information sought is in public domain. In this context, reliance is placed on Hon'ble Central Information Commission (hereinafter referred to as "**CIC**") order dated December 28, 2016, in the matter of *Shri Mrigesh Manubhai Thakkar, Patan vs. CPIO, SEBI (No. CIC/MP/A/2016/000299)*, wherein it was observed that *"On hearing both the parties, the Commission observes that the respondents had given the details of website relating to the stock exchanges. The contention that just because information is on the website and therefore, need not be provided, has been considered in various decisions of the CIC where it has been held that once the information is in the public domain, the public authority cannot be said to be the exclusive holder of such information. The Commission observes that CIC in its order no. CIC/AT/A/2010/000384 has held that **"A matter already brought out into the public domain either through website or through a publication, comes within the obligation cast on the public authority u/s 4(1) of the RTI Act and it would be entirely in order for that public authority to direct a petitioner to the source from where information could be obtained."*** In view of these observations, I find that the respondent cannot be obliged to provide documents, which is already available in the public domain. Accordingly, I do not find any deficiency in the response.
6. I note that appellant vide query nos. 2 and 3 had sought details of assets of a SEBI employee. On consideration, I find that the said information is in the nature of personal information of a third party. In this context, reference is made to the judgment of the Hon'ble Supreme Court of India in the matter of *Central Public Information Officer, Supreme Court of India Vs. Subhash Chandra Agarwal* in Civil Appeal No. 10044 of 2010 with Civil Appeal No. 10045 of 2010 and Civil Appeal No. 2683 of 2010 (judgement dated November 13, 2019) wherein the import of "personal information" envisaged under Section 8(1)(j) of RTI Act has been exemplified in the context of earlier ratios laid down by the same Court in other matter(s). The Hon'ble Supreme Court held that: *"59. Reading of the aforesaid judicial precedents, in our opinion, would indicate that personal records, including name, address, physical, mental and psychological status, marks obtained, grades and answer sheets, are all treated as personal information. Similarly, professional records, including qualification, performance, evaluation reports, ACRs, disciplinary proceedings, etc. are all personal information. Medical records, treatment, choice of medicine, list*

*of hospitals and doctors visited, findings recorded, including that of the family members, information relating to assets, liabilities, income tax returns, details of investments, lending and borrowing, etc. are personal information. Such personal information is entitled to protection from unwarranted invasion of privacy and conditional access is available when stipulation of larger public interest is satisfied. This list is indicative and not exhaustive..."*

7. Additionally, I concur with the response of the respondent that the information sought is available to SEBI in fiduciary capacity. In this context, I note that the Hon'ble Supreme Court of India in *Central Board of Secondary Education & Anr. vs. Aditya Bandopadhyay & Ors* (Judgment dated August 9, 2011) observed that *"The term 'fiduciary relationship' is used to describe a situation or transaction where one person (beneficiary) places complete confidence in another person (fiduciary) in regard to his affairs, business or transaction/s. The term also refers to a person who holds a thing in trust for another (beneficiary). The fiduciary is expected to act in confidence and for the benefit and advantage of the beneficiary, and use good faith and fairness in dealing with the beneficiary or the things belonging to the beneficiary. If the beneficiary has entrusted anything to the fiduciary, to hold the thing in trust or to execute certain acts in regard to or with reference to the entrusted thing, the fiduciary has to act in confidence and expected not to disclose the thing or information to any third party. There are also certain relationships where both the parties have to act in a fiduciary capacity treating the other as the beneficiary. Examples of these are : a partner vis-à-vis another partner and an employer vis-à-vis employee..... if on the request of the employer or official superior or the head of a department, an employee furnishes his personal details and information, to be retained in confidence, the employer, the official superior or departmental head is expected to hold such personal information in confidence as a fiduciary, to be made use of or disclosed only if the employee's conduct or acts are found to be prejudicial to the employer."*
  
8. Further, I do not find any larger public interest in disclosure of requested information under query nos. 2 and 3. In this context, I note that the Hon'ble High Court of Delhi in the matter of *Municipal Corporation Delhi vs. Rajbir W.P.(C) 13219/2009 and CM 14393/2009*, decided on 24.8.2017 had held that: *"9..... Respondent has not provided any credible justification for seeking information regarding the personal assets of the MCD employee in question. There can be no doubt that the information sought by respondent is personal information concerning an employee of MCD. Such information could be disclosed only if respondent could establish that disclosure of such information was justified by larger public interest."* Accordingly, I do not find any deficiency in the response of the respondent.

9. 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 04, 2025**

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